



Committee and date

Central Planning Committee

21 August 2014

Development Management Report

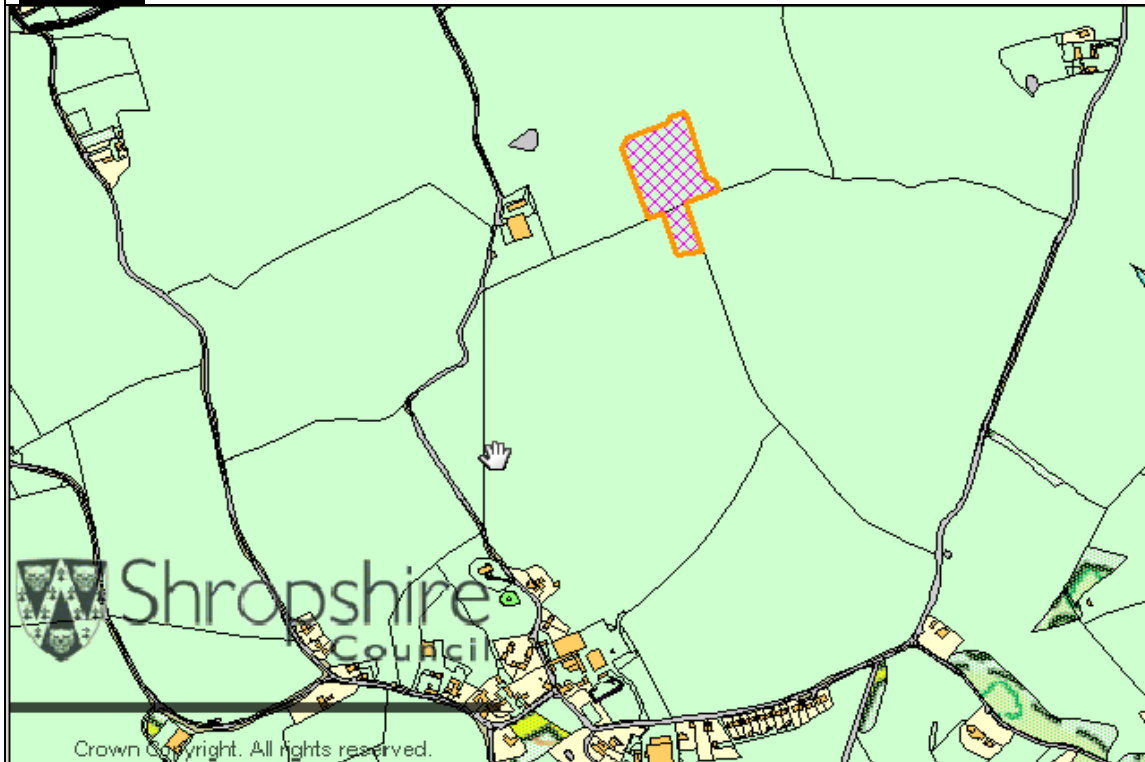
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Summary of Application

Application Number: 14/02385/EIA	Parish:	Little Ness
Proposal: Erection of three poultry rearing buildings, eight feed bins and other ancillary buildings, landscaping including ground modelling and tree planting		
Site Address: Foxholes Buildings Little Ness Shrewsbury Shropshire		
Applicant: Foxholes Farm Ltd		
Case Officer: Kelvin Hall	email: planningdmc@shropshire.gov.uk	

Grid Ref: 340808 - 320449



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Recommendation:- Grant Permission subject to the conditions set out in Appendix 1 and subject to the variation of the Section 106 legal agreement to include the following matters: to secure the routing of traffic associated with the development via the Approved Route as set out in the existing legal agreement and as shown below; to provide for the regular monitoring and review of the use of the approved route.



REPORT

1.0 THE PROPOSAL

- 1.1 The existing operational poultry unit development to the north of the village of Little Ness comprises four poultry buildings together with associated feed bins and equipment. The current planning application seeks permission for the extension of the existing development, providing an additional three poultry houses, with associated buildings and infrastructure.
- 1.2 **Proposed buildings:** The proposed extension would be located to the north east of the existing development and cover an area of approximately 1.8 hectares. The development would comprise the following:
- Three poultry houses, each measuring 110.2 metres x 24.7 metres x 2.7 metres (to eaves) and 4.8 metres (to ridge). Each unit would have a fan canopy and baffle area extending from the rear of the shed by 4.6 metres
 - Two groups of four new cylindrical feed bins with conical top and bottom, each measuring 8 metres high x 3.35 metres diameter, located between the poultry houses
 - Construction of concrete hardstanding, approximately 12 metres wide, along the front (northern) side of the buildings
- 1.3 The poultry houses would be of metal portal frame construction and have a solid concrete floor. Both the poultry houses and the feed bins would be finished in Juniper Green colour to match the existing adjacent buildings. The finished floor levels and eaves heights of the poultry sheds would be three metres lower than the

existing adjoining poultry sheds.

- 1.4 The surface water drainage arrangement for the existing site includes an attenuation swale to the south. This would be extended to accommodate flows from the extended site as well.
- 1.5 Cropping cycle: Preparation for the crop cycle would include the delivery of fuel and bedding litter and feed to the site, followed by the delivery of chicks from the hatchery. Thinning of the birds would take place when they are around 40 days old, over a period of two days. The remainder would be collected when they are around 48 days old, again over a two day period. At the end of the growing period the used litter would be removed. It is intended that this would be used as feedstock in the adjacent anaerobic digester plant which is currently being constructed. Wash down and disinfection would then take place in preparation for the next crop. Wash water would be collected in underground tanks before being spread to agricultural land.
- 1.6. Landscaping: A landscaped bund has been formed along the southern side of the existing poultry development. Landscaping proposed as part of the current development would comprise the extension of this tree planting so that it continues along the southern side of the proposed buildings.
- 1.7 Environmental Impact Assessment: The proposed development is of a type listed in Schedule 1 of the Environmental Impact Regulations and as such the planning application is accompanied by an Environmental Statement.

2.0 **SITE LOCATION/DESCRIPTION**

- 2.1 The application site is located approximately 700 metres to the north of the village of Little Ness. Surrounding land is in agricultural use. The application site covers an area of approximately 1.8 hectares, and is situated directly to the northeast of the existing operational poultry units.
- 2.2 Vehicles would access the site via an access road which was constructed as part of the planning permission for the existing poultry units. This connects to the public highway, Milford Road, approximately 500 metres to the east of the application site.
- 2.3 The nearest residential properties are those at Little Ness to the south, the closest being approximately 520 metres away. Other residential properties in the vicinity of the site include Milford House, approximately 530 metres to the east.
- 2.4 Public footpaths in the vicinity of the site are:
- West-east direction, approximately 180 metres to the north;
 - North-south direction, approximately 190 metres to the west;
 - Southwest-northeast direction, approximately 220 metres to the southeast. – southwest orientation. At its nearest point it is approximately 220 metres from the application site. Idings and the proposed new swale. Other public footpaths in the area are located approximately 190 metres to the south and approximately 230 metres to the northwest.
- 2.5 The Grade II* Listed Church of St Martin is located approximately 530 metres to the south-west of the application site.

3.0 **REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

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

4.0 **COMMUNITY REPRESENTATIONS**

4.1 **Consultee Comments**

4.1.1 **Great Ness and Little Ness Parish Council** No objections.

4.1.2 **Environment Agency** No objections.

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 Environmental Permit (EP) to operate. An EP for 244,000 broiler places was issued in 2010. This was varied earlier this year to increase the number of bird places to 390,000 (an increase of 146,000 bird places) and for the installation of a 995kW biomass boiler (increasing the biomass boiler thermal input to 1990kW for the facility; 2no. 995kWth). The Environmental Statement states that the planning application proposes to accommodate an additional 150,000 bird places on site. According to the information submitted as part of the adjacent planning approval on site (12/01419/EIA), 148,296 broilers are housed in three sheds. Taking into consideration the existing planning approval on site, and the recent EP variation, the current proposed development is considered to have an EP to operate bearing in mind the total number of bird places on site post development. 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 and operating techniques (including the use of poultry feed, housing design and management, slurry spreading and manure management planning);
- 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;

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

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.

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 10 September 2013 (as detailed in Appendix 2.1 of the ES) 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 390,000 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.

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.

In this instance there does not appear to be any sensitive receptors within 400m of the installation site boundary, and we have not received any complaints in relation to the existing poultry operations on site. On this basis, it is considered unlikely that the proposed poultry units would contribute any significant odour emissions on sensitive receptors.

The ES confirms that an Odour Management Plan has been submitted and forms part of the EP. This should include all likely sources of odour resulting from the site, along with measures which could be employed to reduce the likelihood of odour annoyance during the operation (this will be controlled through the EP).

Noise: Similar to odour, our permit guidance (Intensive farming 'How to comply' version 2) advises that noise should be considered where there are 'sensitive receptors' located within 400m of the proposed installation. As discussed above, there does not appear to be any sensitive receptors within 400m of the proposed site and we have not received any complaints in relation to the existing poultry operations on site.

On the basis of the above, it is considered unlikely that the proposed sheds would contribute any significant noise emissions to sensitive receptors. The ES confirms that a Noise Management Plan has been submitted and forms part of the EP. This should include all likely sources of noise resulting from the site, along with measures which could be employed to reduce the likelihood of noise annoyance during the operation (this will be controlled through the EP).

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 the proposed site (as shown on the site plan submitted) is not located within a NVZ. However, some other areas of land within the applicants land ownership may be located within a NVZ.

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

Water Management: The Water Framework Directive (WFD) waterbody in closest proximity to the proposed development site is the River Perry – confluence of the Tetchill Brook to the confluence of the River Severn (Waterbody Reference GB109054050030), 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. Shed roofs that have roof ventilation extraction fans present, may result in the build up of dust which is washed off from rainfall, forming lightly contaminated water. The EP will normally require the treatment of roof water, via swales or created wetland from units with roof mounted ventilation, to minimise risk of

pollution and enhance water quality.

Flood Risk: 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.

The increase in hard standing area could result in an increase in surface water runoff. The ES refers to a Drainage Arrangement Drawing (Ref. 45349-04), which does not appear to have been submitted. Notwithstanding the omitted Plan, Appendix 8.1 of the ES confirms that the surface water drainage scheme has been based on a 1 in 100 year event (including and allowance for climate change) and discharge will remain at a Greenfield runoff rate. We would leave the detail of this for the consideration of the LLFA. For further information reference should be made to our LPA Process Note 'Operational Development (+1ha) within Flood Zone 1'.

Pollution Prevention: Developers should incorporate pollution prevention measures to protect ground and surface water. 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.

- 4.1.3 **Natural England:** No objection. The application site is in close proximity to Fenemere which is listed as part of the Midlands Meres and Mosses Phase I Ramsar site¹ and also notified at a national level as Fenemere Site of Special Scientific Interest (SSSI).

The Council, as competent authority, should undertake a Habitats Regulations Assessment (HRA). In relation to the HRA, Natural England advises:

- the proposal is not necessary for the management of the European site
- that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment

The applicant has provided your authority with an initial ammonia screening tool undertaken by the Environment Agency. They have concluded that detailed modelling is not required as emissions resulting from the proposal will not have a likely significant effect on the Ramsar site.

SSSI: This application is in close proximity to Fenemere, Hencott Pool, Lin Can Moss and Shrawardine Pool Sites of Special Scientific Interest (SSSIs). 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 the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

The following should be assessed and considered by the Local Planning Authority (LPA):

- 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 and a local landscape characterisation document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application.

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 is needed (which is the developer's responsibility) or may be granted.

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'*.

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

- 4.1.5 **SC Highways** No objections. The remaining highway conditions attached to planning consent reference 12/01419/EIA are to remain unchanged by this application.

Under the previous approved scheme for the three broiler sheds the applicant was required to carry out local highway improvements to the agreed route between Foxholes Farm and the A5 trunk road, which were successfully completed. The changes under consideration now will increase the number of HGV movements to the site with the supplied transport assessment reporting that HGV movements per crop cycle will increase by 116 movements (one movement being a trip in a single direction, so 56 HGV visits to the site) from the current surveyed figure of 140 movements per cycle. The applicant has made no request to alter the current condition limiting HGV movements during depopulation operations, so this is to remain unchanged. Likewise the commitment to use the approved and upgraded HGV route is also to remain unaltered by this application.

Having read the supplied transport assessment it is apparent that by increasing the size of the operation at the site this would yield overall efficiency benefits with fewer overall HGV movements per crop unit when compared to the existing operation. Notwithstanding this, the development will of course increase the number of HGV movements between the site and the trunk road, particularly during the crop depopulation. However these movements will take place over a limited number of days each year and will spread over a 12 hour period. Considering this and given the highway improvement works previously carried out by the applicant, the impacts resulting from this development on the local highway network should be limited. Therefore we have no objection to the granting of consent.

- 4.1.6 **Highways Agency** No response received.

- 4.1.7 **SC Drainage** No objections. The drainage calculations are acceptable and a drawing should be provided showing the revised drainage layout. These details can be conditioned if planning permission were to be granted.

The use of soakaways should be investigated in the first instance for surface water disposal. Percolation tests and the sizing of the soakaways should be designed in accordance with BRE Digest 365 to cater for a 1 in 100 year return storm event plus an allowance of 20% for climate change. Flood water should not be affecting other buildings or infrastructure. Full details, calculations and location of the percolation tests and the proposed soakaways should be submitted for approval. Details of how the contaminated water in the yard from spillages or cleaning of sheds will be managed/isolated from the main surface water system should be submitted for approval.

Further comments and recommendations are provided, and can be added as informatives on the decision notice.

- 4.1.8 **SC Public Protection** No objections. Potential for noise and odour has been considered under the Environment Agency issued permit for the site and this will continue. However, one element of noise not covered by the permit relates to traffic movements to and from the site. I have noted that the Environmental Statement

submitted with this application dated May 2014 version 1.1 states that no additional night time traffic movements are expected for depopulation and thinning purposes. As a result I do not consider that traffic noise will have a significant impact on the amenity of the area. However, on past planning applications for the site, reference 12/01419/EIA, a condition was placed as follows: "Bird depopulation shall take place on no more than 30 days in a year and associated HGV movements shall be restricted to a maximum of 11 one way movements between the hours of 02:00 and 07:00. Reason: in the interests of residential amenity along the access route."

I would recommend that should this application be granted approval that this condition is placed with the following amendment: Bird depopulation from the site, which will now comprise of 6 poultry sheds, shall take place on no more than 30 days in a year and associated HGV movements shall be restricted to a maximum of 11 one way movements between the hours of 02:00 and 07:00. No more than two one way movements shall occur in any one hour period between the hours of 02:00 and 07:00. Reason: in the interests of residential amenity along the access route. The Environmental Statement notes that this will be achieved and that no additional night time movements are predicted. Therefore this condition does not unreasonably restrict the development and is seen as necessary to ensure that residents on the access route do not have sleep disrupted unduly.

The Environmental Statement makes a distinction between thinning and depopulation however both involve vehicles at night. As a result I would also recommend that a condition is placed to restrict the number of thinning HGV movements. As thinning is expected to take two days per cycle and on average there will be under 7 cycles in a calendar year I recommend the following condition: Bird thinning from the site, which will now comprise of 6 poultry sheds, shall take place on no more than 14 days in a year and associated HGV movements shall be restricted to a maximum of 11 one way movements between the hours of 02:00 and 07:00. No more than two one way movements shall occur in any one hour period between the hours of 02:00 and 07:00. Reason: in the interests of residential amenity along the access route. With regards to air quality particulate pollution has been scoped out due to the number of birds on site and the distance to nearest residential dwellings. I can confirm that air quality guidance document TG09 does not recommend an air quality assessment for particulates for this development.

- 4.1.9 **SC Ecologist** Comments will be updated verbally at the Committee meeting.
- 4.1.10 **SC Conservation** No comments on this application in terms of historic environment matters.
- 4.1.11 **SC Archaeology** Comments will be updated verbally at the Committee meeting.
- 4.1.12 **CPRE** Objects. CPRE have consistently objected to a series of planning applications at both Little Ness and Great Ness, our views have not changed and we therefore lodge an objection to the above application.

As previously stated the proposed site is situated less than 1 mile from the Nesscliffe Hill Country Park which is designated as a Site of Ecological, Geological and Physiographical Importance (LNC 7), and because of the topography, the unit

will be clearly visible from the designated area. Access to the site is via narrow country lanes and the heavy vehicles required for transporting the poultry will inevitably create traffic problems.

Little of significance has altered since the earlier applications, we consider that the proposal would be highly detrimental to Little Ness and the surrounding area.

4.2 Public Comments

4.2.1 The application has been advertised by site notice and in the local press. In addition approximately 119 properties have been directly notified of the proposals. 5 objections have been received; 2 letters of support have been received.

4.2.2 The grounds for objection are:

Larger than previous proposal which was refused

- Original application 09/01778/FUL was for 5 units and this was refused and upheld on appeal; no material change to suggest 6 units is now acceptable
- Reasons for dismissal included visual impact, size, traffic through Great Ness, affecting a Conservation Area and listed buildings, unsuitability of country lanes to cope with increase in large vehicle traffic and night time noise

Traffic

- Local roads unsuitable to take additional traffic; whole character of this area has been destroyed
- routing agreements are unenforceable as there is no one to monitor except the owner
- lorries cannot pass each other on narrow lanes
- formalisation of passing places has not eased the problem
- artificial widening of lane by tractors has compacted verges causing safety issue to pedestrians and horse riders who no longer have a refuge to walk upon
- during the summer this road is untidy, during the winter, spring and autumn it is a real mess; Shropshire highways department do very little to maintain this road to a reasonable standard
- disturbance and health impact from traffic noise, including night-time
- drainage is becoming problematic on the lanes and roads in this area; standing water on the local roads is a permanent feature during the winter months; water is accumulating in the pot holes and against the hedges where the grass verges used to be, a real hazard to cyclists (and this has become an increasingly busy area for cyclists)
- following should be taken into account:
 - 1. The road between Nescliffe and Baschurch should be clearly defined with kerb stones on bends and white lines on each side in an attempt to reduce damage to the verges.
 - 2. The drainage on this road needs to be investigated and improved.

Emissions and pollution

- Need to include other poultry units and biomass units within emissions calculations

Ecology impact

- Effect on wildlife of The Cliffe, last lowland heath in the county

Odour

- Foul smells from site

Noisy fans

Cumulative impact of chicken farms in the parish; would be 24 sheds within an area of 2km

4.2.3 The reasons for support are:

- Site is in an ideal location, and cannot be seen, heard or smelt
- Every effort should be made to increase food production in the country; where UK grain production can be used so much the better.

5.0 **THE MAIN ISSUES**

- 5.1
- Planning policy context; principle of development
 - Siting, scale and design; impact upon landscape character and visual impact
 - Impact on heritage assets
 - Local amenity and other considerations
 - Traffic and access considerations
 - Rights of way considerations
 - Ecological considerations
 - Impact on water resources
 - Planning history considerations

6.0 **OFFICER APPRAISAL**

6.1 **Planning policy context; principle of development**

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

6.1.2 Core Strategy Policy CS5 states that development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to specified proposals including: agricultural related development. It states that proposals for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts. The Policy provides support for the appropriate expansion of an existing established business, unless relocation to a suitable site within a settlement would be more appropriate. Whilst the Core Strategy aims to provide general support for the land based sector, it states that larger scale agricultural related development including poultry units, can have significant impacts and will not be appropriate in all rural locations (para. 4.74).

- 6.1.3 Policy CS6 sets out sustainable design and development principles to be applied to new proposals. These relate to issues such as the safeguarding of residential and local amenity, high quality design of appropriate scale and pattern (which takes into account local context and those features which contribute to local character), accessible location, and appropriate landscaping.
- 6.1.4 Policy CS13 seeks the delivery of sustainable economic growth and prosperous communities. In rural areas it says that particular emphasis will be placed on recognising the continued importance of farming for food production and supporting rural enterprise and diversification of the economy, in particular areas of economic activity associated with industry such as agriculture. Policy CS16 refers to the economic importance for tourism, culture and leisure of Shropshire's landscape, cultural and historic assets.
- 6.1.5 Policy CS17 relates to environmental networks of natural and historic assets, and (among other points) emphasises that all development should protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment, and should not adversely affect the visual, ecological, geological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors.
- 6.1.6 Policy CS18 sets out design principles for the integration within new developments of measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within Shropshire, including groundwater resources, and provide opportunities to enhance biodiversity, health and recreation.
- 6.1.7 The above policies indicate that there is strong national and local policy support for development of agricultural businesses which can provide employment to support the rural economy. The application would create an additional 1.4 full-time equivalent employees plus additional labour for delivery, chick placement, veterinary care, dead bird collection and catching equivalent to around 2.5 full time workers.
- 6.1.8 In principle therefore the proposed expansion of the existing broiler chicken business can be supported. However policies also recognise that poultry units can have significant impacts, and seek to protect local amenity and environmental assets. These matters are assessed below.
- 6.2 **Siting, scale and design; impact on landscape character, and visual impact**
- 6.2.1 Siting, scale and design: The proposed additional sheds would be positioned parallel to the existing three sheds, and would match these in terms of orientation, design, appearance and dimensions. This would provide a uniform design and minimise visual impact, and it is considered that this layout is acceptable in principle.
- 6.2.2 Impact on landscape character: The site is located within a gently rolling lowland landscape, with large scale fields generally in arable use bounded by hedgerows containing occasional hedgerow trees. There are also a number of small scale woodland blocks in the local landscape. Further to the north the land rises steeply to the wooded hills of Nesscliffe Hill Country Park and The Cliffe. The existing

buildings are low profile structures and have been constructed at a lower level than the adjacent field. They are finished in Juniper Green colour to help to minimise visual impact on the surrounding landscape. The existing buildings are however visible from some public viewpoints in the local area, including Milford Road to the southeast, and public footpaths in the vicinity. Tree and shrub planting has taken place atop a grassed bund along the southern side of the existing poultry development as part of an approved landscaping scheme, and as this develops this will screen the existing development further.

- 6.2.3 The LVIA has assessed the quality of the local landscape and considers that it is of 'medium' quality. There are no national or local landscape designations affecting the application site and surrounding landscape. In terms of landscape value the LVIA considers that the area has Local Level Value. The Shropshire Landscape Character Assessment classifies this area as having 'low' overall sensitivity to change. The LVIA has also considered the landscape sensitivity of the area. It notes that any new poultry development would be seen in the context of the existing buildings, and the new buildings would be set at a lower finished floor level compared to the existing buildings. It states that from the north the new buildings would be largely obscured by the undulating topography, and from the west they would be largely obscured by the existing buildings. It goes on to state that, from the east they would be seen against the backdrop of existing buildings, and from the south they would be seen against the backdrop of the wooded hills. Taking this into account the LVIA considers that the area has Low Landscape Sensitivity to accommodating the proposed development.
- 6.2.4 Existing trees and hedgerow in the area would be retained. The existing tree planting along the southern side of the existing site, which has recently been completed, would be extended to provide an additional 186 native tree species.
- 6.2.5 In terms of the impact on landscape character, it is noted that the proposed extension would be seen in the context of and against the backdrop of the existing poultry farm. The LVIA states that the type of landscape in which the site is located occurs over large areas of Shropshire, and large farmsteads, including poultry farms, are now commonplace within this landscape. It suggests that these are the sort of developments that one now expects to see in an agricultural landscape. The LVIA states that, in relation to landscape impact, the height of a building is generally more significant than its floor area. It is noted that the proposed buildings would be low profile and would sit relatively low in the landscape, and that the new buildings would be constructed at a level which is more 3 metres lower than the existing sheds. The feed bins would be the highest element of the development, but at 8 metres high are similar in height to a 2-storey dwelling. The LVIA states that, as the existing and proposed landscape planting takes effect, the development as a whole will gradually be screened from view from most directions.
- 6.2.6 Overall, Officers concur with the conclusions of the LVIA that the effects on the landscape character would be Low adverse over a Low/Medium geographical area. In addition, Officers agree that, resulting from this assessment, the significance of these impacts can be considered to be Minor adverse, i.e. unlikely to be of importance in the decision-making process but of relevance in the detailed design of the project. Therefore, whilst the proposal would result in some degree of adverse impact on landscape character it is considered that this landscape is able

to accommodate such change and that, when assessed in relation to the wider benefits of the proposal, these impacts are not unacceptable. The proposal can therefore be accepted in relation to Core Strategy Policies CS5 and CS6 regarding impact on countryside character.

6.2.7 Cumulative landscape impact: Some concerns have been raised in respect of the cumulative impact of this development with other similar poultry unit developments in the area. It is recognised that there are a number of such developments in the area, including at Felton Butler (1km to the southwest) and the recently permitted extension to the Great Ness poultry unit (1.7km to the northeast), and that it may be possible to view more than one poultry unit from the same location. However given the distance between the poultry units and the distance from which such views would possible it is not considered that the current proposal would give rise to adverse cumulative impact.

6.2.8 Visual impact: The LVIA has also assessed the visual impact of the proposed development. The proposed development would be visible, to varying degrees, from sections of surrounding public footpaths, from public highways including Milford Lane, from the churchyard of St Martin's Church in Little Ness and from some residential dwellings including some at the northern side of Little Ness. It is noted however that the proposed poultry houses would be seen in the context of the existing development and would sit low in the landscape, and that such visual impact would reduce as the landscape planting becomes more established. In addition, from some locations, the development would be seen against the backdrop of wooded hills.

6.2.9 In relation to the public footpaths and roads, given the transitory nature of such views and the nature of the development within an agricultural landscape it is considered that such visual impact can be accepted. In relation to views from the churchyard and residential properties in Little Ness, these would be some distance away (approximately 530 metres and further) and are partially screened by existing buildings and mounding. Once the landscape planting has established it is considered that such views would be significantly reduced. In relation to Milford House to the east, views from this property are reduced due to distance (560 metres) and would be further minimised as the recently completed planting on a mound to the east of the site establishes.

6.2.10 The proposed development would be visible from the elevated area of The Cliffe, which is part of the Nesscliffe Hill Country Park, to the west. However it should be noted that these areas are approximately 1.6km from the application site and these would therefore be relatively distant views which would reduce their significance.

6.2.11 The LVIA concludes that these would be Minor adverse for views along Milford Road and the footpath to the southeast, and Negligible for all other views. These conclusions are supported, and as such it is considered that any visual impact from the proposal would not be unacceptable.

6.3 **Impact on heritage assets**

6.3.1 The nearest Listed Building to the site is the Grade II* Church of Saint Martin, approximately 530 metres to the southwest. Given the distance between the site and the church, and the intervening structures and vegetation which filter views, it

is not considered that the proposed development would adversely affect the setting of this Listed Building. Adcote School, a Grade I Listed Building, is approximately 1.2km away. However due to intervening vegetation and the local topography, views of the site from the school are restricted.

- 6.3.2 The nearest Conservation Areas are at the southern side of Baschurch (approximately 1.5km to the northeast) and Great Ness approximately 1.7km away). Views of the site from these areas would not be significant, and it is not considered that the proposal would adversely affect the character of these designated areas.
- 6.3.3 The Council's Conservation Officer has confirmed that there are no objections to the proposed development in relation to historic environment matters. In view of the distance of the site from surrounding heritage assets, and the screening provided by existing hedgerows and from the proposed landscaping, it is not considered that the proposal would adversely affect the historic environment of the area. The proposal can therefore be accepted in relation to Core Strategy Policy CS17 to protect the historic environment.
- 6.3.4 The comments of the Council's Archaeologist will be reported separately in advance of the Committee meeting.

6.4 **Local amenity and other considerations**

- 6.4.1 Intensive poultry sites such as the one proposed are regulated by the Environment Agency (EA) through the Environmental Permitting Regulations. The EA has confirmed that the Environmental Permit for the site was recently varied to allow for up to 390,000 birds at the site. The Permit controls operational and management matters at the site, including emissions of odour and noise from the site.
- 6.4.2 Odour and noise: Poultry units have the potential to cause adverse impact in the local area from odour and noise emissions. Odours can be elevated particularly during cleaning out operations, and noise impacts can occur particularly during night-time operations. The Environment Agency has advised that, as there are no sensitive receptors within 400 metres of the application site and there have been no substantiated complaints in relation to odour or noise, it is considered unlikely that the proposed poultry units would contribute any significant odour or noise emissions on sensitive receptors.
- 6.4.3 Notwithstanding this, an Odour Management Plan and Noise Management Plan forms part of the EP, and in this instance it is considered that these would provide a satisfactory level of control to ensure that odour and noise levels do not result in adverse impact in the local area.
- 6.4.4 However the Permit would only control sources of noise from within the permit 'installation boundary'. This would not normally include lorry movements or operational hours. Night-time vehicle movements currently take place in connection with bird thinning and clearance. The submitted Transport Assessment states that the proposed development would not result in any additional night-time HGV movements as a result of the additional three sheds. Planning conditions which restrict the hours and level of traffic associated with these activities can be imposed on any new planning permission, as recommended by the Public

Protection Officer, in order to minimise impact upon residential amenity from traffic noise (see Appendix 1). Overall it is considered that noise generated by the proposed development would be controlled to acceptable levels.

- 6.4.5 External lighting: External lighting would be similar to that provided for the existing poultry houses. The northern gable ends of each unit would be lit externally with a single 100W lamp, and an LED lamp would be positioned at the end of each feed bin passage way to illuminate the control room doors. These lights would be downward facing and protected with a cowl to reduce light spillage. Lighting would only be required during working hours in the winter months and during bird catching.
- 6.4.6 Dust and flies: In relation to dust, the Environment Agency has advised that past experience has shown that the majority of it is deposited on the farm itself. The Agency does not anticipate this causing a nuisance to nearby residents provided that the operation is undertaken in accordance with the Best Available Technology (BAT). The relatively low construction level of the buildings, the screening mound to the southwest of the site, and the proposed tree planting to the south would have dust attenuation properties.
- 6.4.7 The Environment Agency has advised that flies are generally not considered a problem on broiler sites which operate to BAT standards. An assessment of this will have been undertaken by the Agency as part of the Environmental Permit, including any necessary controls (mitigation).
- 6.4.8 It is not considered that proposed development would result in adverse levels of amenity from dust and flies.
- 6.5 **Traffic and access considerations**
- 6.5.1 The Section 106 legal agreement associated with the 2012 permission provides for a routing restriction. This agreement would need to be varied to ensure that the routing agreement is relevant to the current proposal to extend the site. The routing agreement provides for a warning and barring system to drivers who do not comply with the routing restriction, and this would be incorporated within any revised agreement. The draft agreement also requires records to be made of all HGVs that visit the site, including vehicle registration numbers. This is current practice, and will assist with following up any future reports of breaches of the routing restriction.
- 6.5.2 The Environmental Statement indicates that HGV traffic would increase by 83% over current levels, rising from 140 movements per cycle to 256 movements per 55 day cycle. The submitted Transport Assessment notes that bird removal is the most significant peak event, and this would take place over four days during each cycle. The Assessment states that the peak vehicle movements in any 24 hour period would be 38 additional HGVs, these being associated with bird removal. It is noted that there would be no increase in the number of HGV movements occurring during night-time periods, and as such the condition on the existing planning permission which restricts such movements can be re-imposed.
- 6.5.3 The Highways Officer has noted that the additional movements would take place over a limited number of days each year, and would be spread over a 12 hour

period. On this basis and taking into account the highway improvements that were undertaken as part of the 2012 planning permission for the existing poultry sheds, the Highways Officer considers that the highways impacts of the proposal would be limited and has raised no objections.

6.5.4 It is concluded that, subject to the routing restriction being maintained, the proposal is acceptable in terms of highway safety and capacity.

6.6 **Rights of way considerations**

6.6.1 A public footpath crosses the existing access track to the site. The proposed development does not propose any works to this footpath and would not prevent the continued use of the path.

6.7 **Ecological considerations**

6.7.1 The planning application submitted in 2012 for the three poultry units was accompanied by an ecological assessment. The current application state that all the background information contained in that assessment is still relevant to the current application. On that basis an addendum to that assessment has been submitted as part of the current application. The ecological report states that the application site is arable land with very little ecological interest, although an adjacent hedge consists of native species. It states that no badger setts have been recorded within a 50 metre search area, and there is no suitable breeding habitat for great crested newts within 250 metres. It notes that common farmland species use the adjacent hedgerows for nesting. In conclusion the report states that the proposal would have minor or negligible impact on habitats, and the adjacent hedgerow would be unaffected. The proposed tree planting comprising 186 native plants would improve habitat in the local area for breeding birds.

6.7.2 Ammonia emissions: The EA notes that emissions from poultry units can potentially impact on nearby nature conservation sites, directly damage vegetation and can wider affect eutrophication and acidification of sensitive habitats. Based upon the findings of an initial ammonia screening assessment, the EA has advised that detailed ammonia modelling will not be required, and that an appropriate assessment under the Habitat Regulations will not be required.

6.7.3 The comments of the Council's Ecologist will be confirmed in advance of the Committee meeting.

6.8 **Impact on water resources**

6.8.1 The EIA includes a hydrology assessment of the potential impacts of the proposed poultry installation on water resources including surface waters, groundwater and flood risk, and also includes a Flood Risk Assessment. This has identified that the main risks posed to water resources by the proposals are from the increase in surface water runoff from the site, and from the spreading and removal of manure and dirty water.

6.8.2 The assessment identifies that the existing water attenuation feature which serves the existing site has sufficient capacity to accommodate the run-off from the proposed extension to the site. It concludes that it is therefore unlikely that the proposal would cause any off site flooding as a result of increasing the impermeable and semi-permeable surfacing onsite.

6.8.3 All operations would occur on hardstanding within a building, and this would provide significant protection from pollution incidents. Surface water from the site would be directed via drainage channels to a new swale to be constructed to the east of the site, as part of a Sustainable Urban Drainage System, in order to minimise flood risk potential in nearby surface waters. Dirty water would comprise wash down water arising from the cleaning of the poultry units. This would be directed to a dirty water tank. It is proposed that a diverter valve would be connected to the drainage system. This will divert the yard water either to the Sustainable Drainage System or to the dirty water holding tanks.

6.8.4 The Council's Drainage Officer has recommended that details of soakaways and of the foul water management arrangements should be submitted for approval and an appropriate condition is set out in Appendix 1 below. Whilst the proposal has the potential to result in pollution of water resources and increased run-off, it is considered that the proposals have demonstrated that this risk can be minimised to a satisfactory degree.

6.8.5 Manure management: The chicken manure arising as part of the proposed development would be used as feedstock for the adjacent anaerobic digester plant. This element of the proposal does not form part of the application that has been submitted. This element of the poultry operation, including the requirement for a Manure Management Plan, is dealt with as part of the Environmental Permit which is regulated by the Environment Agency.

6.9 Planning history considerations

6.9.1 A previous application for five poultry units at the site was refused in 2010 (ref. 09/01778/FUL), and subsequently dismissed at appeal in 2011. Some objections have been made on the basis that the current proposal for six poultry houses would result in a development of more units than the proposal that was turned down at appeal.

6.9.2 In dismissing the appeal the Inspector dismissed the appeal the Inspector stated that:

- the highway network would be inadequate to safely and conveniently cater for the traffic generated by the proposal,
- there would be a detrimental effect from the proposal on living conditions of nearby residents, particularly from night-time traffic noise;
- the scheme would be out of character with the village and the small-scale nature of the countryside hereabouts and would harm the visual qualities that are clearly cherished by many

6.9.3 The Inspector considered that development would not have a significant impact on the nearby Fenemere SSSI and Ramsar site, either on its own or in combination with other development.

6.9.4 There are significant differences between the proposal that was dismissed at appeal, and the current proposal. In particular:

- application 09/01778/FUL proposed that the main route to the site would be via the villages of Great Ness and Little Ness, before connecting to a new access road linking to the west of the site. The current application proposes

that vehicles would utilise the same route that vehicles to the existing poultry units use. This, in conjunction with a routing agreement which has been secured through a Section 106 legal agreement, ensures that traffic would not pass through the built up area of Little Ness. In addition, improvements to this route have been undertaken at eight places by the applicant as part of the 2012 planning permission. The routing agreement can be amended to ensure that it is also applicable to the current proposal.

- The routing agreement would ensure that traffic passes a significantly lower number of residential properties, and avoids the centre of Little Ness. In addition conditions were imposed on the 2012 permission to restrict traffic movements during night time, to minimise the impact on residential amenity
- The proposed additional buildings would be constructed at a level which is 3 metres lower than the existing poultry buildings. The poultry sheds, at 110 metres long, are also smaller than those proposed as part of application 09/01778/FUL which were 126 metres long.

6.9.5 Whilst the fact that a proposal involving the construction of five poultry houses was refused planning permission and dismissed at appeal is a relevant factor to be taken into consideration, the current proposal is significantly different in some respects and should be considered on its own merits. Based upon the assessment above it is considered that the current scheme would have significantly less impact than application ref. 09/01778/FUL.

7.0 **CONCLUSION**

7.1 The proposal to extend the existing poultry unit development at Foxholes represents an appropriate expansion of this existing agricultural business, and would provide direct and indirect economic benefits. The EIA accompanying the application has identified the potential impacts of the proposal and appropriate mitigation measures. The impact of the proposal on landscape character would be mitigated by the extension of the existing landscape planting. Further screening of the development would be provided in time once the existing landscaping on top of the bund develops. The closest residential properties to the site are in excess of 500 metres from the site, and it is therefore unlikely that site operations would result in noise or odour impact given this distance. Potential disturbance to residential properties located along the vehicle route from traffic noise during night-time operations can be minimised through appropriate conditions restricting the number of vehicles. Such night-time operation would only occur on an infrequent basis, on four occasions during the 55 day cycle. The proposal to utilise the existing sustainable drainage system is acceptable. Further controls over the operation would be provided by the Environmental Permit.

7.2 Subject to there being no adverse issues raised by the Council's Ecologist or Archaeologist, it is considered that the proposal can be accepted in relation to Development Plan policies and other material considerations and that planning permission can be granted subject to the conditions listed in Appendix 1 and subject to the variation of the existing Section 106 legal agreement.

8. Risk Assessment and Opportunities Appraisal

8.1 Risk Management

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

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal - 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 first arose.

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

8.2 Human Rights

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

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

9. Financial Implications

There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken

into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

10.1 Relevant Planning Policies

10.1.1 Shropshire Core Strategy

- Policy CS4 (Community Hubs and Community Clusters)
- Policy CS5 (Countryside and Green Belt)
- Policy CS6 (Sustainable Design and Development Principles)
- Policy CS7 (Communications and Transport)
- Policy CS13 (Economic Development, Enterprise and Employment)
- Policy CS17 (Environmental Networks)
- Policy CS18 (Sustainable Water Management)

10.2 Central Government Planning Policy and Guidance:

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

- promotes sustainable economic growth and prosperity (Chapter 1);
- supports a prosperous rural economy, including the development and diversification of agricultural rural businesses (Chapter 3);
- requires that developments that generate a significant amount of movement should be supported by a Transport Statement or Transport Assessment (Chapter 4);
- requires that decisions take account of whether safe and suitable access to the site can be achieved, and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development (Chapter 4);
- promotes good design as a key aspect of sustainable development (Chapter 7);
- supports the move to a low carbon future as part of the meeting of the challenges of climate change and flooding (Chapter 10);
- states that the planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes; minimizing impacts on biodiversity and providing gains where possible; preventing development from contributing to unacceptable levels of soil, air, water or noise pollution; remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land (Chapter 11);
- states that decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life; recognize that development will often create some noise (Chapter 11, para. 123);
- decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation (Chapter 11, para. 125).

10.3 Emerging Development Plan policy:

10.3.1 Site Allocations and Development Management (SAMDev) document: Consultation has taken place on the draft Development Management policies in support of the SAMDev.

The SAMDev will allocate sites for various types of development and will set out detailed policies to guide future development in the county. At this stage, the site and immediately surrounding area are not subject to any specific allocation in the SAMDev.

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

- MD2 (Sustainable Design)
- MD7b (General Management of Development in the Countryside)
- MD12 (Natural Environment)

10.4 Relevant Planning History:

09/01778/FUL Erection of five poultry units and ancillary works including creation of new access and off-site highway improvements, refused 27th May 2010

12/01419/EIA Erection of 3 poultry rearing sheds; 2 control rooms, 7 feed bins, office/store building, water tower, vehicular access, road improvement works (in Great Ness & Little Ness) earth bund and landscaping scheme, permitted 24th October 2012

13/01316/MAW Erection of a 500kWe Anaerobic Digester (AD) plant for the purpose of farm diversification and for the production of renewable energy, permitted 4th July 2013

Appeal

10/01833/REF Erection of five poultry units and ancillary works including creation of new access and off-site highway improvements, appeal dismissed 30th June 2011

11. Additional Information

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

The application ref. 14/02385/EIA and supporting information and consultation responses.

Cabinet Member (Portfolio Holder):

Cllr M. Price

Local Member:

Cllr David Roberts (Loton)

Appendices:

APPENDIX 1 - Conditions

APPENDIX 1**Conditions****STANDARD CONDITION(S)**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2. The development shall be carried out strictly in accordance with the approved plans and drawings.

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

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to, and approved by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

Reason: To ensure satisfactory drainage of the site and to avoid flooding.

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

4. 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.

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

5. The external colour and finish of the poultry houses and feed hoppers hereby permitted shall match that of the existing adjacent poultry houses and feed hoppers.

Reason: To ensure the materials and appearance of the development are appropriate in the landscape.

6. Notwithstanding the details provided on the landscape drawing no. 1427.03, any trees or plants, that within a period of 10 years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with other species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the visual impact arising from the development is mitigated in accordance with the approved details.

7. 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: Development of the facility allowed under permitted development have not been assessed as part of this proposal. The Local Planning Authority would wish to retain control over this to enable it to assess any impacts that may cause harm to interests of acknowledged importance

8. Construction works shall not take place outside 07:30 to 18:00 hours Monday to Friday and 08:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area.

9. Bird depopulation from the site, which will now comprise of 6 poultry sheds, shall take place on no more than 30 days in a year and associated HGV movements shall be restricted to a maximum of 11 one way movements between the hours of 02:00 and 07:00. No more than two one way movements shall occur in any one hour period between the hours of 02:00 and 07:00.

Reason: in the interests of residential amenity along the access route.

10. Bird thinning from the site, which will now comprise of 6 poultry sheds, shall take place on no more than 14 days in a year and associated HGV movements shall be restricted to a maximum of 11 one way movements between the hours of 02:00 and 07:00. No more than two one way movements shall occur in any one hour period between the hours of 02:00 and 07:00.

Reason: in the interests of residential amenity along the access route.

Informatives

1. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority. The fee required is £97 per request, and £28 for existing residential properties.

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

2. Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce sediment build up within the soakaway. If soakaways are not feasible, drainage calculations to limit the discharge rate from the site equivalent to a greenfield runoff rate should be submitted for approval. The attenuation drainage system should be designed so that storm events of up to 1 in 100 year + 20% for climate change will not cause flooding of any property either within the proposed development or any other in the vicinity. Reason: To ensure that soakaways, for the disposal of surface water drainage, are suitable for the development site and to ensure their design is to a robust standard to minimise the risk of surface water flooding.

Comment: A contoured plan of the finished ground levels should be provided to ensure 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 more vulnerable areas within the development site or contribute to 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.

Comment: The applicant should submit details on how the contaminated water in the yard from spillages or cleaning of sheds will be managed/ isolated from the main surface water system. Reason: To ensure that polluted water does not enter the water table or watercourse Informative:

The applicant should consider employing measures such as the following: o Water Butts o Rainwater harvesting system o Permeable surfacing on any new driveway, parking area/ paved area o Greywater recycling system Reason: To ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner.

3. The public rights of way must remain open and available at all times and the public must be allowed to use the footpaths without hindrance both during development and afterwards.
- Vehicular movements (i.e. works vehicles and private vehicles) must be arranged to ensure the safety of the public on the rights of way at all times.
 - Building materials, debris, etc must not be stored or deposited on the rights of way.
 - There must be no reduction of the width of the rights of way.
 - The alignment of the rights of way must not be altered.
 - The surface of the rights of way must not be altered without prior consultation with this office; nor must it be damaged.
 - No additional barriers such as gates or stiles may be added to any part of the rights of way without authorisation.