



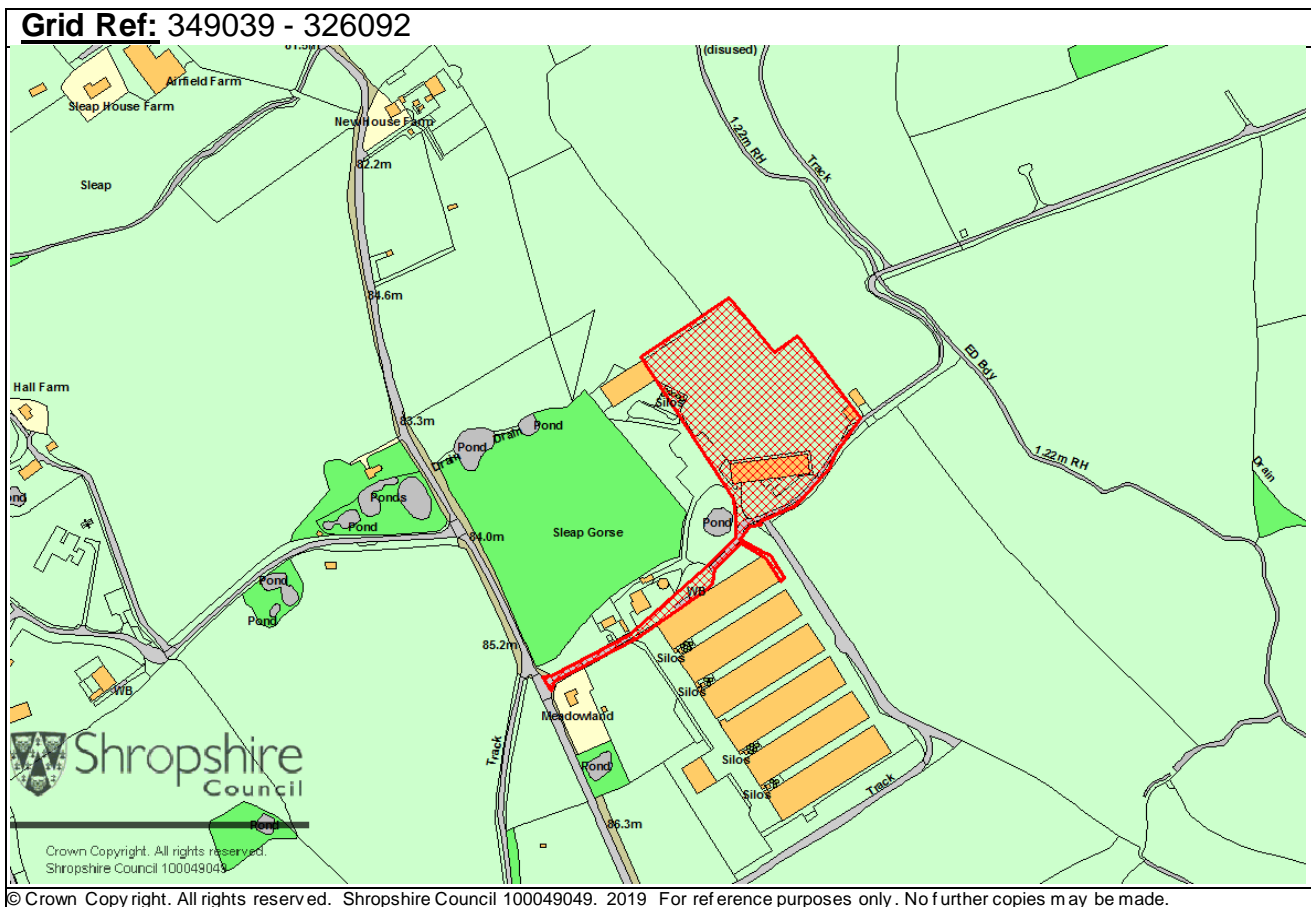
Committee and date
North Planning Committee
18th February 2025

Development Management Report

Responsible Officer: Rachel Robinson, Director of Health Wellbeing and Prevention

Summary of Application

Application Number: 24/02735/EIA	Parish:	Myddle Broughton & Harmer Hill
Proposal: Variation of conditions 2 (approved plans) and 9 (bird numbers) and removal of conditions 5 (scheme for air scrubbing on Unit 1) and 7 (installation of air scrubbers) attached to planning permission 22/02001/EIA		
Site Address: Meadowland, Sleaf, Harmer Hill, Shrewsbury, Shropshire, SY4 3HE		
Applicant: Mr David Grocott		
Case Officer: Richard Denison	Email: richard.denison@shropshire.gov.uk	



Recommendation: Grant permission subject to the satisfactory completion of a Section 106 agreement to restrict the overall number of birds on the broiler unit at Meadowlands and retrofit heat exchanger to each of the size existing poultry sheds, and conditions set out in Appendix 1.

REPORT

1.0	THE PROPOSAL
1.1	<p>Planning permission was granted in March 2023 under application reference 22/02001/EIA for the “<i>Erection of three additional poultry units with associated air scrubber units, control rooms, feed blending rooms, feed bins, hard standings, dirty water tanks and a drainage attenuation pond, together with retrofitting an air scrubber unit to an existing poultry shed</i>”. This current application seeks to vary conditions 2 (approved plans) and condition 9 (bird numbers), and to remove condition 5 (scheme for air scrubbing on Unit 1) and condition 7 (installation of air scrubbers). This essentially seeks to change two elements of the planning permission which are in relation to the approved ammonia mitigation strategy and the bird numbers.</p>
1.2	<p>The proposed site capacity will change from:</p> <ul style="list-style-type: none"> • 318,000 birds in 6 buildings (no ammonia mitigation); to • 363,795 birds in 9 broiler sheds all with heat exchangers. • The extant permission is for 460,500 birds in 9 broilers sheds (with air scrubbers on 4 buildings)
1.3	<p>The reason for the proposed changes is due to the applicant reducing the bird numbers to 30kg birds per square metre on the whole site which is the required stocking maximum of ‘RSCPA assured’ higher welfare accommodation for broilers.</p>
1.4	<p>The application has been accompanied by a site location plan, block plan, elevations and floor plans, Design & Access Statement, Flood Risk & Drainage Assessment, Landscape & Visual Impact Assessment, Transport Statement, Noise Impact Assessment, Odour Report, Ammonia Report and Environment Statement.</p>
1.5	<p>The original application 22/02001/EIA was considered Schedule 1 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and was subject to a detailed Environmental Impact Assessment. Whilst this current application is only considering amendments to specific environmental matters regarding emissions and does not require a whole new assessment of the development, the resultant total bird numbers nonetheless remain above the threshold as set out in Schedule 1 of the EIA Regulations, and therefore the proposed development is EIA development and determined accordingly. Although this application has not been subject to a formal scoping exercise of the environmental impact officers agree with the applicant’s assessment as indicated in the submitted Environmental Statement and accompanying supporting documents.</p>
2.0	SITE LOCATION/DESCRIPTION

2.1	The site is located at Meadowlands, an 18.6 hectare farm at Sleaf, and is an existing poultry enterprise. There are six modern poultry buildings at the farm, developed through 2014 to 2017 with a housing capacity of 318,000 broilers. The site is within the Parish of Myddle, Broughton and Harmer Hill and sits in an area of countryside. Sleaf is located approximately 3km to the south of the market town of Wem and is made up of sporadic houses and farms, the private airfield operated by Sleaf Aero Club and a small number of other businesses.
2.2	Access to the site is via the minor road known as Burma Road, which is accessed off the B5476 Shrewsbury to Wem Road. Wem, Clive and Myddle are all approximately 3km from the site and Loppington is 3.75km away. There are a small number of houses and farms in Sleaf, it is not an identified settlement in the SAMDEV Plan but is recognisable on an OS map. The site is therefore considered to be countryside in planning terms with the main use being the airfield which is still in active use by small aircraft.
3.0	REASON FOR COMMITTEE DETERMINATION OF APPLICATION
3.1	The application is considered Schedule 1 development in accordance with Environment Impact Assessment Regulations. As such the application requires Committee consideration.
4.0	COMMUNITY REPRESENTATIONS
4.1	Consultee Comments
4.1.1	Shropshire Council, Highways - The proposed development raises no fundamental concerns the highways perspective and there are no objections to the proposed variations.
4.1.2	Shropshire Council, Ecology - No objection is raised with regards to the proposed change from air scrubbers (on the new buildings and 1 existing building) to heat exchangers (on all existing and proposed buildings). The predicted emissions from the proposed scenario are lower than the permitted scenario, which was already a betterment to the current situation. In fact, the betterment is even better than shown because the ammonia modelling has used a 10km screening distance, where we would only have required 5km now (compared to 2022). The Environmental Statement confirms that manure will be taken to the Anaerobic Digester plant in Whitchurch. As a result, the impacts of waste disposal have been scoped out of the Environmental Impact Assessment process as the Anaerobic Digester plant is a licensed waste facility which is allowed to process poultry manure and is subject to its own Environmental Assessment and Environmental Permit. The proposed amendments to the scheme involve a reduction in bird numbers and hence manure generation will be reduced.
4.1.3	Shropshire Council, Drainage - The variations are unlikely to increase flood risk and therefore are acceptable.
4.1.4	Shropshire Council, Regulatory Services - Having reviewed the information provided by the applicant, we concur with the findings of the reports that odour and noise impact will be low at the nearest properties.

4.1.5	Shropshire Council, Landscape Consultants - This proposed site is relatively small in landscape and visual terms and will not have any significant landscape and visual impact subject to the landscape mitigation proposal. The amendments to the design and layout of the development are negligible.
4.1.6	Environment Agency - We previously commented on the associated application 22/02001/EIA, where we advised of the Environmental Permitting requirement for this operation and confirmed what would be controlled by the permit. These comments remain relevant. As detailed within the Design & Access statement, the business is now proposing to reduce the stocking density across the whole site by 21% and remove 4 x air scrubbers and replace with 9 x heat exchangers. We did not recommend the above planning conditions that the applicant is now seeking to vary. However, we can confirm that the permit (SP3737FF) was varied (May 2023) to reflect these requirements. Therefore, the current permit does contain conditions that state that houses 1 and 7 to 9 have air scrubbers to reduce ammonia emissions and that houses 1 to 6 have heat exchangers. A copy of the variation is attached for your reference). A variation to the permit will now be required to remove the requirement for air scrubbers and to reflect the new emissions points. The applicant is advised to contact our National Permitting Service for further information. We can confirm that the existing site is well managed; only one unsubstantiated odour complaint has been received this year.
4.1.7	Myddle Broughton and Harmer Hill Parish Council - A formal response has been received raising no comment.
4.2	Public Comments
4.2.1	No public representations have been received.
5.0	THE MAIN ISSUES
	<ul style="list-style-type: none"> • Background • Environmental Impact Assessment • Impact on Residential Amenity • Landscape and Visual Impacts • Drainage • Highways • Ecology
6.0	OFFICER APPRAISAL
6.1	Background
6.1.1	Meadowlands is an established poultry farm, which extends to six poultry houses which are used for broiler rearing. Five of the existing poultry houses were constructed in 2013, and the sixth as an expansion in 2016.
6.1.2	All of the existing poultry houses are identical, and of standard poultry house construction, formed from steel portal frames, with the external cladding being polyester coated profile sheeting in Olive Green. The existing poultry houses are

equipped with automated feeders and drinkers, and a high-speed roof mounted ventilation system. The existing poultry houses each accommodate up to 53,000 birds per flock, with the site having a total capacity of 318,000 birds.

6.1.3 The applicants propose to expand their poultry farming operations on the site through the erection of additional poultry sheds. Planning permission was granted on the 9th March 2023 for three additional poultry sheds under application reference 22/02001/EIA. This current application seeks to vary conditions 2 and 9 of planning permission 22/02001/EIA and remove conditions 5 and 7. Essentially, this amendment proposes to reduce the stocking density on the whole farm by 21%, and seeks to remove the four air scrubbers, and replace these with nine heat exchangers.

6.1.4 The approved development provided three additional poultry houses with associated control rooms, feed blending rooms, feed bins, hard standings, dirty water tanks, and an attenuation pond, together with heat exchangers. The proposal also seeks to retrofit exchangers to the existing six poultry houses on the site and this element is proposed to be controlled by a Section 106 agreement. The detailed elements of the site expansion scheme which was approved in 2023 are shown in the table below.

Element	Description
Poultry Houses	Three Poultry Houses measuring 117m x 20.42m with an eaves height of 3.3m and a ridge height of 6.114m.
Control Rooms	Three control rooms attached to the south elevation of the new poultry houses, measuring 12.510m x 4m with an eaves height of 3.3m and a ridge height of 6.114m.
Feed Blending Rooms	Two feed blending rooms, measuring 4m x 3m with an eaves height of 2.9m and ridge height of 3.446m.
Hard standings	Concrete Aprons to the north and south of the proposed poultry houses.
Dirty Water Tanks	One SSAFO certified dirty water tanks.
Drainage Attenuation Pond	Sustainable Drainage System
Heat Exchangers (on site)	Three Big Dutchman Earny 2 Heat Exchanges
Heat Exchangers (off site)	Retrofit six Big Dutchman Earny 2 Heat Exchangers to the existing six poultry sheds.

The additional poultry sheds approved under 22/02001/EIA have a capacity of 142,500, taking the overall capacity of the farm up to 460,500 birds. As part of the amendment proposals, the business is permanently adopting the new high welfare stocking density which therefore represents the 21% reduction in bird

	numbers on the whole site. Post development, the whole site will be stocked at a maximum of 363,795 birds.
6.1.5	The use of the development will be for the rearing of broiler chickens. Birds will be delivered to the site as old chicks, and reared within the buildings for 38 days, at which point they will be removed live to the processors and enter the food chain. Following the removal of each flock of birds, the buildings will be mucked out, power washed, dried, bedded with shavings and pre heated in readiness for the next flock of birds. The cleaning and building preparation process takes around 10 days. All manure and dirty water generated by the existing poultry units is currently disposed of via the applicants existing biogas plant at Whitchurch. The additional manure and dirty water arising the expanded development will also be directed to the applicant's biogas plant at Whitchurch. The existing and proposed buildings will operate on an all-in-all out basis, with all nine poultry houses stocked and de stocked at the same time.
	<u>Ammonia Mitigation Strategy</u>
6.1.6	Meadowlands Poultry Unit currently extends to six poultry sheds which provide accommodation for 318,000 birds. The approved development seeks to expand the poultry unit through the erection of three additional poultry sheds and includes mitigation for ammonia impacts through the installation of air scrubbing units on the three additional sheds, together with retrofitting of an air scrubber on one of the existing sheds. This mitigation is secured by the planning permission by virtue of condition 2 (approved plans) and conditions 5 (scheme for air scrubbing on Unit 1) and 7 (installation of air scrubbers).
6.1.7	The applicants are seeking to amend the ammonia mitigation strategy associated with the development through the removal of the air scrubbers from the approved plans. An alternative scheme is proposed to mitigate ammonia impacts which is twofold, and includes the adoption of the new higher welfare, lower stocking density across the whole farm, together with the installation of nine heat exchanger units to all poultry houses on the site (6 existing and 3 proposed). This alternative scheme, which includes a reduction in the number of birds and the new heat exchangers, is a betterment in that the emissions will be lower than the previously approved scheme and will therefore have less impact on the environment.
	<u>Reduction in Stocking Density</u>
6.1.8	The applicants propose to permanently move the whole of the farm over to the new lower stocking density of 30kg/m ² which represents a 21% reduction in bird numbers on the site. Planning permission 22/02001/EIA is based on the expanded farm being stocked at a maximum of 460,500 birds. Under the new higher welfare stocking density, this figure will reduce to 363,795 birds on the whole expanded site. It is proposed to control the stocking density through an amendment to condition 9, and within a proposed Section 106 agreement.
	<u>Installation of Heat Exchangers</u>
6.1.9	The development seeks to implement ammonia mitigation through the installation of nine Big Dutchman Earny 2 heat exchangers on the site which achieve a

	reduction in ammonia of 35%. This includes retrofitting heat exchangers to the existing six poultry sheds, and installation of three heat exchangers to the proposed three poultry sheds. As part of the proposed mitigation is outside of the red line of planning permission 22/02001/EIA, it is proposed to control this through the proposed Section 106 agreement.
	<u>Variation of Condition 9</u>
6.1.10	<p>Condition 9 (bird numbers) of planning permission 22/02001/EIA states:</p> <p><i>“No more than 142,500 birds shall be kept in the buildings hereby approved at any one time. The broiler unit as a whole at Meadowlands Poultry Ltd, Meadowlands, Sleaf, SY4 3HE shall house no more than 460,500 birds at any one time. Records of the number of birds delivered to the site during each cycle shall be made and these shall be made available to the local planning authority on request”.</i></p>
6.1.11	<p>It is proposed to vary condition 9 to the following wording:</p> <p><i>“No more than 112,575 birds shall be kept in the buildings hereby approved at any one time. The broiler unit as a whole at Meadowlands Poultry Ltd, Meadowlands, Sleaf, SY4 3HE shall house no more than 363,795 birds at any one time. Records of the number of birds delivered to the site during each cycle shall be made and these shall be made available to the local planning authority on request”.</i></p>
	<u>Removal of Conditions 5 and 7</u>
6.1.12	Conditions 5 (scheme for air scrubbing on Unit 1) and 7 (installation of air scrubbers) of planning permission 22/02001/EIA relate to the installation and operation of the air scrubbers. It is proposed to remove these conditions from the planning permission.
	<u>Evidence Base Support the Proposed Amendments</u>
6.1.13	The proposed amendments to the scheme are extremely limited, and simply relates to the mitigation measures and equipment to be used as ammonia abatement techniques. The changes in the technical specification of the poultry sheds will result in a change to the emissions profiles for ammonia and odour, and a change to the noise emissions due to the different equipment being used.
6.1.14	<p>In order to demonstrate the different impacts of the proposed development, updated assessments have been submitted in terms of Ammonia, Odour and Noise Assessments. The updated assessments are:</p> <ul style="list-style-type: none"> • Ammonia Emissions Impact Assessment (Isopleth, June 2024) • Odour Impact Assessment (Isopleth, June 2024) • Noise Impact Assessment (Matrix, 25th June 2024)
6.2	Environmental Impact Assessment
6.2.1	

	<p>The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 specify that Environmental Impact Assessment (EIA) is mandatory for proposed development involving the intensive rearing of poultry where the number of broiler birds is 85,000 or more. As such the previous application 22/02001/EIA for the three poultry units was classed as Schedule 1: 17(a) EIA development as the number of birds on site would be 142,500. However, under Schedule 1: (24) of the EIA regulations it states that “<i>Any change to or extension of development listed in this Schedule where such a change or extension in its self meets the thresholds, if any, or description set out in this Schedule</i>”. Although the proposed application results in the reduction of the total number of birds by 29,925 this would still result in the development of the three poultry units exceeding the 85,000 threshold. Therefore, the development would exceed the threshold on 17(a) and would be Schedule 1 EIA development. On this basis, this application has been accompanied by an Environmental Statement.</p>
6.3	Impact on Residential Amenity
6.3.1	Policy CS6 ‘Sustainable Design and Development Principles’ of the Shropshire Core Strategy indicates that development should safeguard the residential and local amenity.
	<u>Poultry Buildings</u>
6.3.2	Having regard to the distance away from neighbouring properties and low height the proposed poultry houses will not result in any detrimental impact from causing any overbearing impact or loss of light.
	<u>Noise</u>
6.3.3	The Noise Impact Assessment, undertaken in accordance with BS4142, demonstrates that the likely noise impacts of the proposed amendment to the scheme will be low. The Council Environmental Protection Officer has raised no objection to the application.
	<u>Odour</u>
6.3.4	The Odour Impact Assessment predicts that the odour impacts of the proposed amendment to the scheme will be lower than the impacts of the extant planning permission 22/02001/EIA. The Council Environmental Protection Officer has raised no objection to the application.
	<u>Light Pollution</u>
6.3.5	The development will not require 24 hour external lighting and any lighting will be on motion sensors limiting the time any lighting is on and will be directed towards the ground. The existing site has not raised any concerns regarding light pollution and officers on the previous application did not consider that the addition of three poultry units would lead to any significant light pollution.
6.4	Landscape and Visual Impacts

6.4.1 The proposed heat exchanger equipment measures 2.4 metres wide by 5 metres long to a height of 2.2 metres with an exhaust to a height of 3.9 metres. The equipment will be sited on a concrete pad and positioned mid-way along the length of the building. Having regard to the position, the existing and proposed poultry units will screen the equipment. The changes to the layout and scale of the development are negligible, and therefore, the previously prepared Landscape and Visual Impact Assessment (dated 29th July 2022) remains valid. The Council Landscape Consultant has raised no objection to the application.

6.5 **Drainage**

6.5.1 The changes to the layout and scale of the development are negligible, and therefore, the previously prepared Flood Risk and Drainage Assessment (April 2022) remains valid. The Council Drainage Team have raised no objection to the application

6.6 **Highways**

6.6.1 Planning application 22/02001/EIA was accompanied by a Transport Statement prepared by Hurlstone Associates (April 2022). As part of the proposed amendments, the capacity of the site in terms of bird numbers will be reduced from the approved 460,500 birds down to 363,795 birds. Traffic generation on a poultry unit is intrinsically linked to the number of birds accommodated on the farm. As this amendment involves a significant reduction in the proposed bird numbers on the site, the Transport Statement is now an over estimation of the highway impacts of the proposed development. The following table shows the traffic generation impacts of the proposed amendment.

Activity	Vehicle Size	Approved Scenario (460,500 birds)	Proposed Higher Welfare Scenario (363,795 birds)
Chick Delivery	16.5m Articulated HGV	7	5
Feed Delivery	16.5m Articulated HGV	50	39
Bird Collection	16.5m Articulated HGV	57	45
Manure Removal	16.5m Articulated HGV	24	19
Dirty Water Removal	Tanker	12	7
Carcass Collection	7.5 tonne rigid LGV	5	5
Fuel Delivery	16.5m Articulated HGV	6	5
Shavings Delivery	16.5m Articulated HGV	3	3

	Total per flock		164 (328 movements)	128 (256 movements)
	Total per annum (7.5 flocks)		1230 (2,460 movements)	960 (1,920 movements)
6.6.2	As demonstrated above, the implication of the proposed amendment to the scheme through the stocking density reduction results in a reduction in traffic generation associated with the site of 540 movements per annum. The Council Highways Officer has raised no objection to the application.			
6.7	Ecology			
6.7.1	The previous application was accompanied by a detailed Ecological Appraisal which was carried out to provide an assessment of the ecological value of the site in local context and to identify potential ecological constraints relating to the development and recommend measures to avoid, reduce or manage negative effects and provide a new ecology gain.			
6.7.2	The proposed biodiversity enhancements for wildlife include the construction of a new attenuation pond, the placement of hedgehog boxes in the bases of hedgerows and the erection of bird and bat boxes on suitable trees within the curtilage of the farm. It was considered that the installation of new ammonia air scrubbers on an existing poultry shed as well as the new poultry sheds would reduce the ammonia emissions from the poultry units as a whole. It was concluded that the proposed ecological protection and enhancements would provide biodiversity net gains with no unacceptable adverse impact on ecology.			
	<u>Emissions</u>			
6.7.3	This variation application has now been accompanied by a revised Ammonia Emissions Impact Assessment which demonstrates that the proposal to reduce the stocking density across the whole farm and install heat exchangers to all poultry houses provides positive benefits and will result in lower ammonia impacts to protected ecological sites than the already consented development application 22/02001/EIA.			
6.7.4	The Council Ecology Officer has indicated that the predicted emissions will be lower than the previously approved scheme, which was already a betterment to the current situation at the site. The ammonia modelling has used a 10km screening distance and will not result in any impacts. The Environmental Statement confirms that manure will be taken to the Anaerobic Digester plant in Whitchurch which is a licensed waste facility and allows to process poultry manure and is subject to an Environmental Assessment and Environmental Permit. The proposed amendments to the scheme involve a reduction in bird numbers and hence manure generation will be reduced. The Council Ecology Officer has raised no objection to the application.			
6.7.5	The Environment Agency have confirmed that the proposed site is controlled by an Environmental Permit which the applicant is aware will need amending to relate to the change from air scrubbers to heat exchangers. The Environment Agency have confirmed that the site is well managed and has raised no objection.			

	<u>Biodiversity Net Gain</u>
6.7.6	This is a Section 73 application as it relates to a variation of conditions to application 22/02001/EIA which was approved on the 9 th March 2023. Biodiversity Net Gain does not apply to Section 73 applications where the original planning permission was granted before the 12 th February 2024.
	<u>Manure Management</u>
6.7.7	The proposed development will produce 1,052 tonnes less manure than the current scheme approved under application 22/02001/EIA. All of the manure generated by the development will be disposed of via an anaerobic digester plant which would operate under an Environmental Permit to process poultry manure, silage and energy crops. The process is used for managing waste, producing renewable energy, and creating a valuable byproduct for agriculture.
6.7.8	The biogas produced by the anaerobic digester plant consists of 50-70% methane which is a valuable fuel, used to produce electricity and heat. The leftover material, called digestate, is the solid and liquid residue from the digestion process. This digestate is used as a nutrient-rich fertiliser for agricultural applications.
6.7.9	The agent has indicated that the anaerobic digester plants are businesses and need to operate their plants at maximum efficiency, as their revenue is linked to the volume of gas they produce. The manure arising from the application site at Meadowlands is simply a feedstock into the anaerobic digester plant, and in the absence of the availability of this specific manure as a feedstock, the anaerobic digester plant would simply source its feedstock from elsewhere to maintain their biogas production capacity.
6.7.10	The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 (Farming Rules for Water) aims to reduce the risk of water pollution from agricultural activities (including the spreading of the anaerobic digester byproduct). The legal requirements control the timing of spreading, provide a buffer zones, control the application rate and method, and ensure land is suitable for digestate, together with the requirement to keep a Nutrient Management Plan and record of spreading.
6.7.11	The Environmental Statement indicates that the development will not produce any effects beyond those which may be experienced within the current farming enterprise. In conclusion the agent has indicated that this current application will result in a substantial reduction in manure volume which is disposed of via a licensed waste facility holding an Environmental Permit which allows the processing of poultry manure.
6.7.12	The production of digestate and its subsequent disposal are as a result of the existence and operation of the anaerobic digester plant. The development is simply a source of anaerobic digester feedstock. The management and subsequent spreading of digestate falls under the legal requirements of the Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations

	2018 (Farming Rules for Water) and by adhering to these rules, the environmental risks associated with digestate spreading are mitigated.
6.7.13	The Environmental Statement indicates that the impacts from manure management are 'none' and the Council Ecology Officer has raised no objection to this process of dealing with the manure waste from this poultry unit.
7.0	CONCLUSION
7.1	It is considered that the Environmental Statement 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 layout, appearance and scale of the poultry houses, together with the additional landscaping belt will remain as previously approved and will minimise its visual impact on the rural landscape and will not have a detrimental impact upon the residential amenities of the surrounding area. The recommended conditions would also be supplemented by detailed operational controls available under the Environment Agency's permitting regime. It is concluded that the proposed reduction in the bird numbers and installation of heat exchangers will improve the proposed operation of this site and are acceptable in relation to relevant development plan policies and guidance.
7.2	This application would be subject to a Section 106 agreement to restrict the overall number of birds on the broiler unit at Meadowlands to no more than 363,795 and retrofit heat exchanger to each of the six existing poultry sheds for the lifetime of the development.
8.0	RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL
8.1	Risk Management
	<p>There are two principal risks associated with this recommendation as follows:</p> <ul style="list-style-type: none"> • 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 6 weeks after the grounds to make the claim first arose first arose. <p>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.</p>

8.2	Human Rights
	<p>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.</p> <p>First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.</p> <p>This legislation has been taken into account in arriving at the above recommendation.</p>
8.3	Equalities
	<p>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.</p>
9.0	FINANCIAL IMPLICATIONS
9.1	<p>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.</p>
10.0	BACKGROUND
10.1	Relevant Planning Policies
	<p>Policies material to the determination of the Application. In determining this application, the Local Planning Authority gave consideration to the following policies:</p> <p>Central Government Guidance: National Planning Policy Framework</p> <p>Shropshire Council Core Strategy (February 2011): CS2 : Shrewsbury Development Strategy CS5 : Countryside and Green Belt CS6 : Sustainable Design and Development Principles CS17 : Environmental Networks CS18 : Sustainable Water Management</p> <p>Site Allocations and Management Development Plan (December 2016): MD2 : Sustainable Design</p>

	MD7b : General Management of Development in the Countryside MD12 : Natural Environment
10.2	Relevant Planning History
22/02001/EIA	- Erection of three additional poultry units with associated air scrubber units, control rooms, feed blending rooms, feed bins, hardstanding, dirty water tanks and a drainage attenuation pond, together with retrofitting an air scrubber unit to an existing poultry shed. Granted 9 th March 2023.
20/03120/FUL	- Construction of dirty water lagoon. Granted 8 th July 2021.
19/00403/PSPPA	- Application for prior approval under Part 14, Class J of the Town & Country Planning (General Permitted Development) (England) Order 2015 for the installation of roof mounted solar panels. Prior Approval Not Required 22 nd March 2019.
18/04913/FUL	- Erection of general-purpose agricultural storage building. Granted 28 th November 2018.
18/03798/FUL	- Application under Section 73A of the Town and Country Planning Act 1990 for the erection of agricultural dwelling including the siting of a mobile home during construction (re-submission). Refused 24 th October 2018.
16/00943/FUL	- Erection of a secondary agricultural occupancy dwelling for a worker and a temporary dwelling available during construction of dwelling. Refused 12 th May 2016.
15/01921/EIA	- Erection of a poultry building, an expansion of the existing poultry business on site. Granted 20 th August 2015.
14/03641/FUL	- Erection of a farm managers dwelling and residential garage/annex. Granted 12 th February 2015.
15/01938/EIA	- Erection of a poultry building, an expansion of the existing poultry business on site. Granted 20 th August 2015.
15/01937/EIA	- Erection of a poultry building, an expansion of the existing poultry business on site. Granted 20 th August 2015.
13/04582/VAR	- Variation of Condition No. 2 attached to Planning Permission 12/04582/FUL for the construction of a building to house a biomass boiler and fuel store

		associated with a 150,000 broiler chicken unit (phase 4 of a 5 phase development) to relocate the building to house the biomass boilers to a more central position. Granted 13 th February 2014.
12/04582/FUL	-	Construction of a building to house a biomass boiler and fuel store associated with a 150,000 broiler chicken unit (phase 4 of a 5 phase development). Granted 7 th March 2013.
12/04581/EIA	-	Construction of a broiler chicken building to house 50,000 birds (Phase 3 of a 5 Phase development). Granted 7 th March 2013.
12/04580/EIA	-	Construction of a broiler chicken building to house 50,000 birds (Phase 2 of a 5 Phase development). Granted 7 th March 2013.
12/04574/EIA	-	Construction of a broiler chicken building to house 50,000 birds (Phase 1 of a 5 Phase development). Granted 7 th March 2013.
PREAPP/12/00049	-	Broiler Farm accommodating up to 300,000 broiler chickens, including the incorporation of an agricultural workers dwelling. Acceptable Development 24 th February 2012.
NS/06/02560/FUL	-	Erection of a two-storey dwelling with detached double garage in connection with the existing poultry business. Granted 10 th January 2007.
NS/02/00832/FUL	-	Siting of mobile home and installation of septic tank drainage system. Granted 2 nd April 2003.
NS/99/10588/FUL	-	Replacement of mobile home in connection with egg production units and installation of septic tank. Granted 10 th March 1999.
NS/96/00583/FUL	-	Proposed siting of mobile home in connection with proposed egg production units. Granted 31 st December 1996.
NS/96/00582/FUL	-	Erection of free-range egg production unit (17.1m x 53.375m x 4.3m high) Unit 2. Granted 30 th December 1996.
NS/96/00581/FUL	-	Erection of free-range egg production unit (17.1m x 53.375m x 4.3m high) Unit 1. Granted 30 th December 1996.
11.0	ADDITIONAL INFORMATION	

	List of Background Papers - Planning Application reference 24/02735/EIA
	Cabinet Member (Portfolio Holder) - Cllr Chris Schofield
	Local Member - Cllr Brian Williams
	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 planning permission 22/02001/EIA granted on the 9th March 2023.
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, drawings and documents as listed in Schedule 1 below.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.
3. The proposed woodland landscaping belt shall be undertaken in accordance with drawing IPA1254-11 prior to the first occupation of the poultry houses hereby approved. The landscape works shall be carried out in full compliance with the approved plan, schedule and timescales. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall upon written notification from the local planning authority be replaced with others of species, size and number as originally approved, by the end of the first available planting season.
Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).
Reason: The condition is a pre-commencement condition 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

5. Prior to first occupation / use of the buildings, the makes, models and locations of hedgehog, bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The following boxes shall be erected on the site:
 - A minimum of six external woodcrete bat boxes, suitable for nursery or summer roosting for small crevice dwelling bat species.
 - A minimum of six artificial nests, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design) and tits 26mm/32mm entrance hole).
 - A minimum of four hedgehog nesting boxes.The boxes shall be sited in suitable locations and where they will be unaffected by artificial lighting. The boxes shall thereafter be maintained for the lifetime of the development.

Reason: To provide enhancements for biodiversity in accordance with MD12, CS17 and section 174 of the NPPF.

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

Reason: To ensure a satisfactory appearance of the development.

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

7. No more than 112,575 birds shall be kept in the buildings hereby approved at any one time. The Broiler unit as a whole at Meadowlands Poultry Ltd, Meadowlands, Sleaf, SY4 3HE shall house no more than 363,795 birds at any one time. Records of the number of birds delivered to the site during each cycle shall be made and these shall be made available to local planning authority on request.

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

8. (a) All manure arising from the poultry buildings hereby permitted shall be taken off site to an anaerobic digester or other suitable disposal or management facility. Manure shall not be exported from the site unless in covered vehicles.
(b) Records of the destination of each load of manure arising from the poultry buildings hereby permitted shall be made and these shall be made available to the local planning authority on request.

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