

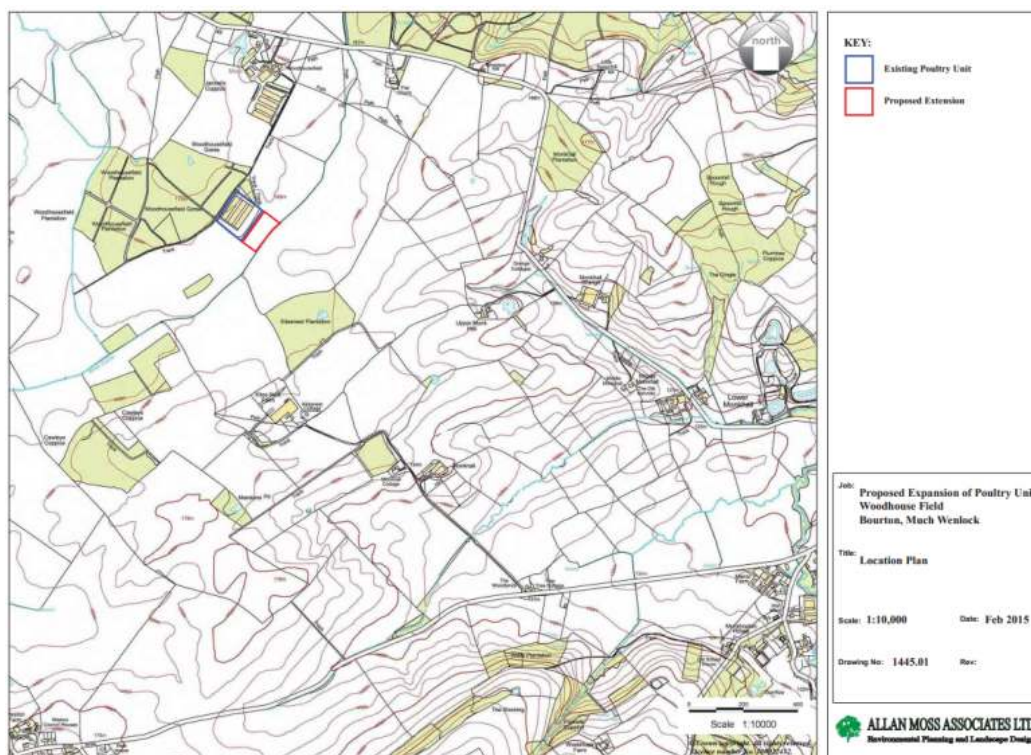
Committee and date

South Planning Committee

8 September 2015

Development Management Report

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| <u>Application Number:</u> 15/01808/EIA | <u>Parish:</u> | Much Wenlock |
| <u>Proposal:</u> Erection of 2 no. agricultural buildings for rearing livestock (table fowl); biomass boiler building; 5 no. feed bins and associated hardstanding and landscaping. | | |
| <u>Site Address:</u> Wheatlands Site, Woodhouse Fields, Bourton, Much Wenlock, TF13 6QN | | |
| <u>Applicant:</u> Corve Poultry Ltd | | |
| <u>Case Officer:</u> Grahame French | <u>email:</u> planningdmc@shropshire.gov.uk | |

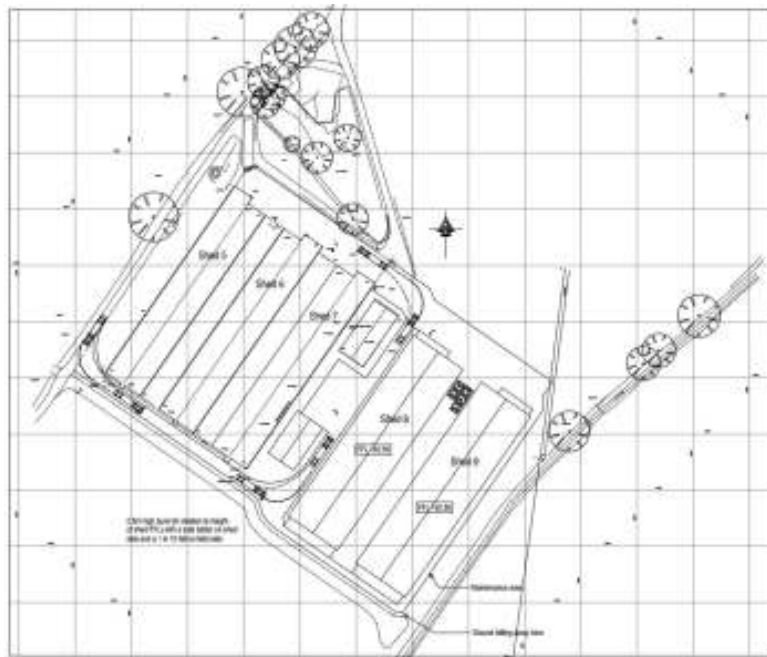


Recommendation:- Approve subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 The proposal is to erect two poultry sheds to extend the 'Wheatlands site' located to the south west of the main farm complex at Woodhouse Fields. The new sheds would have associated feed bins and service yard area. The proposals would expand the site from the existing 7 houses with 249,900 bird places to 9 houses with 330,000 birds. There will be 7.6 bird crop cycles per year. A scheme of landscaping is included to support the existing landscaping measures on site.



- 1.2 The two proposed poultry buildings would measure 97.99 metres long and 24.69 metres wide and 4.84 metres to ridge as compared with the existing buildings which are approximately 100.8m x 18.4m x 5.75m high. Each unit would have a fan canopy and baffle area extending from the rear of the shed by 4.85m. The control rooms for each unit will be at the front of the building. The buildings would be fitted with roof extraction and rear gable end extraction fans. The roof extraction will be via outlets along the roof that are staggered either side of the ridge line with the finished height of the outlets being 5.75 metres high. Each shed would be fitted with 6 roof outlets. The finished floor level of the new buildings would be 162.5m AOD which is approximately 1-1.5m lower than the existing buildings.
- 1.3 An associated biomass building would be 22.8 metres long, 13.7 metres wide and 7.4 metres to ridge (164.00m AOD). There would be 5 feed bins of 8.59 metres in height x 3.37m diameter. The existing concrete hardstanding would be extended along the front of the new buildings (12m wide). The existing perimeter bund around Sheds 5, 6 & 7 (south east edge) would need to be moved in order to accommodate the new biomass building. This would be repositioned and remodelled along the south-western edge of the development. Any surplus material arising from the excavations for Sheds

8 & 9 will be added to the bund. New hedgerows with inter-planted trees and adjoining biodiverse grassland belts would be provided along the south west, south east and north-east margins. The application also includes an associated attenuation pond. All new buildings and feed bins would be finished in a Moorland Green colour (BS12B21) to match the existing structures.

- 1.4 New external lighting will be kept to a minimum, similar to that provided for the existing poultry houses. The northern gable ends of each unit will be lit externally with a single 100w metal halide lamp. These will be downward facing and protected with a cowl to reduce light spillage. Lighting of the site will only be required during bird catching at night. There will be no round the clock external lighting of the site and no use of high intensity security lighting. It is anticipated that the construction period would last for approximately 4 months. During that period construction vehicles and machinery would be active on the site including excavators, dump trucks and haulage lorries.
- 1.5 The proposed poultry farm would operate under an environmental permit from the Environment Agency. This is based on the principle that operators should take all appropriate preventative measures against pollution, through the application of Best Available Technique (BAT) enabling improvements in environmental performance. The proposed development falls within schedule 1 of the Environmental Impact Assessment Regulations. Accordingly, the application is accompanied by an EIA.

2.0 SITE LOCATION / DESCRIPTION

- 2.1 The Wheatlands poultry site is located approximately 1.6km to the south of Bourton near Much Wenlock. The proposed site (2ha) comprises part of an arable field to the immediate south east of the existing poultry buildings at Wheatlands. The farm lies within an arable and livestock rearing farming unit. The farm is located at the northern end of the Corvedale valley and the site occupies a broad rolling valley bottom at levels ranging from 160m to 170m AOD. There is a large area of woodland called Woodhousefield plantation immediately to the north-west of the existing poultry buildings. The remainder of the farm, including the application site, is largely in arable use and comprises of a mix of medium to very large fields bounded by hedgerows.
- 2.2 Access to the farm is via a driveway from the Bourton to Monkhopton road to the east of the site. There are no dwellings other than the main farm house within 575m of the proposed site. The site is well screened by the existing topography, mixed hedgerows and deciduous tree plantations. The surrounding landscape is largely in arable use interspersed with woodland blocks. The current poultry farm operation the site has been operating as a 240,000 broiler operation since 2000. Another poultry farm has recently been built to the west of Woodhousefield Plantation at Bradeley Farm. However the plantation provides a substantial physical barrier between the two sites.

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 Much Wenlock Town Council: No objection. The proposals support local food production therefore reducing the need to import, and they also conform to Objective 8 (The local landscape and wildlife) and Objective 9 (Sustainability and climate change) in the Neighbourhood Plan for Much Wenlock.

4.2i. Natural England: No objection – no conditions requested. This application is in close proximity to Wenlock Edge and Derrington Meadow Sites of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that these SSSIs does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

ii. Other advice: We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society 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.

4.3. Environment Agency: No objection subject to the following comments:

- i. Environmental Permitting Regulations: The proposed development will lead to a maximum of 330,000 birds on-site, which is above the threshold (40,000) for regulation of poultry farming under the Environmental Permitting (England and Wales) Regulations (EPR) 2010. The EP controls day to day general management, including operations, maintenance and pollution incidents. In addition, through the determination of the EP, issues such as relevant emissions and monitoring to water, air and land, as well as fugitive emissions, including odour, noise and operation will be addressed. Based on our current position, we would not make detailed comments on these emissions as part of the current planning application process. It will be the responsibility of the applicant to undertake the relevant risk assessments and propose suitable mitigation to inform whether these emissions can be adequately managed. For example, management plans may contain details of appropriate ventilation, abatement equipment etc. Should the site operator fail to meet the conditions of a permit we will take action in-line with our published Enforcement and Sanctions guidance. For your information the applicant has applied for, and been granted, a variation to the existing EP (Ref: EPR/TP3736MW, dated 2 Dec 2014). For the avoidance of doubt we would not control any issues arising from activities outside of the permit installation boundary. Your Public Protection team may advise you further on these matters.

- ii. Flood Risk: The site is located in Flood Zone 1 (low probability) based on our indicative Flood Zone Map. Whilst development may be appropriate in Flood Zone 1 a Flood Risk Assessment (FRA) is required for 'development proposals on sites comprising one hectare or above where there is the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off Under the Flood and Water Management Act (2010) the Lead Local Flood Authority (LLFA) should be consulted on the proposals and act as the lead for surface water drainage matters in this instance. We would also refer you to our West Area Flood Risk Standing Advice – 'FRA Guidance Note 1: development greater than 1ha in Flood Zone 1' for further information.
 - iii. 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. Information submitted within the Design, Access & Planning Statement proposes that poultry manure will be removed from the buildings, loaded directly into sheeted trailers and transported off site. The manure/litter is classed as a by-product of the poultry farm and is a valuable crop fertiliser on arable fields.
 - iv. Pollution Prevention: Developers should incorporate pollution prevention measures to protect ground and surface water. We have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice which include Pollution Prevention Guidance Notes (PPG's) targeted at specific activities. Pollution prevention guidance can be viewed at:
<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>
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.
- 4.4 SC Conservation: No objection. The application proposes erection of 2 agricultural buildings for the rearing of livestock measuring 97.99 metres long and 24.69 metres wide and 4.84 metres to ridge, associated biomass building of 22.8 metres long and 13.7 metres wide and 7.4 metres to ridge and 5 feed bins of 8.59 metres in height. The application also includes associated hardstanding, an attenuation pond and landscaping including the removal and installation of a bund. The site is 2ha in total and lies adjacent to an existing farm unit. The application has included a heritage impact assessment, although this hasn't gone into detail on the impact upon the setting of heritage assets, it is noted in this instance that due to the location of the proposed buildings adjacent to the existing development the overall impact on the setting of any nearby heritage assets will be minimal as the sites will be read as one. The site is some distance from the nearest designated heritage assets in Bourton which is screened by woodland. Other non-designated heritage assets are located closer to the site but already experience the existing farm buildings in the view and it is considered that while the additional buildings will increase the impact, this will not create substantial harm. Overall it is considered that the setting of heritage assets will be generally preserved in line with policies, guidance and legislation as outlined above.

4.5 SC Highways: No objections (verbal communication).

4.6 S.C.Ecology: No objections subject to conditions and informatives.
Comments are based on a total of 330,000 birds.

i. Designated Sites: This application has been considered for its impact on any locally, nationally or European Designated Sites. The proposed development has been granted an environmental permit from the Environment Agency (EA). SC Ecology has received the ammonia screening modelling from the EA. The following sites have been assessed by the EA and SC;

- Hughley Brook (SSSI)
- Wenlock Edge (SSSI)
- Derrington Meadow (SSSI)
- Woodhousefield Gorse (Local Wildlife Site)
- Cawleys Coppice (Ancient Woodland)
- Novers Coppice (Ancient Woodland)
- Spoonhill Coppice (Ancient Woodland)
- Plumtree Coppice (Ancient Woodland)

The SSSIs screen out below the critical load threshold for ammonia (20%). Detailed modelling is not requested for these sites.

ii. The ammonia screening results highlighted the potential impact that this site may have on the following locally designated sites:

- Woodhouse Fields Gorse Local Wildlife Site.
- Cawleys Coppice ancient woodland
- Spoonhill Coppice ancient woodland

Cawleys Coppice and Spoonhill Coppice did screen out after an in-combination assessment was carried out. So ammonia modelling was not required for these sites (below 100% of the critical load for ammonia). As Woodhouse Fields Gorse was within 250 metres of the proposed permitted farm extension it was recommended by the EA that the applicant carry out ammonia modelling. This was not completed due to the proposed beneficial mitigation measures. The applicant has proposed fitting heat exchangers to each existing & proposed poultry house to reduce ammonia emissions;

iii. Mitigation Measures: The operator is proposing installing heat exchangers on the seven existing houses and also on the new proposed houses. These heat exchangers will be of the type that have BWL accreditation and will be of sufficient capacity to provide minimum ventilation requirements for the first 18 days of the bird cycle, well beyond the normal brooding period. Heat exchangers will be cleaned and serviced according to manufacturer's guidance. All condensate will be directed to dirty water tanks. The operator would like to expand the site from existing 7 houses with 249,900 bird places to 9 houses with 330,000 bird places. Existing bird places $249900 \times 0.034\text{gms/bird place} = 8497\text{kg NH}_3$ produced. Proposed site with 330,000 bird places $\times (0.034\text{-}35\%$ for heat exchangers on all bird places gives a bird place emission factor of $0.0221/\text{bird}$). Therefore $330,000 \times 0.0221\text{gms/bird place} = 7293\text{ kg NH}_3$ produced. The above calculations demonstrate that the proposal will have a reduction in the existing

emissions by 1204kg NH₃ or 14%, this reduction would enable expansion without any additional loading whatsoever on the nearby non statutory sites. Natural England will be formally consulted on this planning application and the Local Planning Authority must have regard to their representations when making a planning decision. Planning permission can only legally be granted where it can be concluded that the application will not have any likely significant effects on the integrity of any European/Nationally Designated site.

- iv. Bats: The single tree in the boundary hedge has been assessed as having low potential for roosting bats. The site has the potential to be enhanced for bats by additional proposed hedge planting. There will be 1 no. 100w metal halide lamps above each main shed door; these will only be used during catching at night. They will face downwards and will be protected by a metal cowl. An informative is recommended.
 - v. Great Crested Newts: The proposed development is unlikely to impact upon GCN. An informative is recommended.
 - vi. Nesting birds: The site has the potential to support nesting birds. The additional landscaping will enhance the site for nesting birds.
 - vii. Landscape: The Churton Ecology report contains recommendations on how to enhance the site for biodiversity. New native hedgerows, with the inclusion of native hedgerow trees, a habitat bund and low intensity grassland will improve the ecological interests on site. A landscape plan has been submitted in support of this application and it should be conditioned on the decision notice to ensure the provision of amenity and biodiversity afforded by appropriate landscape design. A condition is recommended.
- 4.7 S.C.Drainage: No objection in principle. A Flood Risk Assessment is required as the area exceeds 1ha. The drainage strategy proposes to limit a discharge rate of 5l/s and the storage will be provided in the form of a pond and French drains is acceptable in principle. However, 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. Alternatively, we accept soakaways to be designed for the 1 in 10 year storm event provided the applicant should submit details of flood routing to show what would happen in an 'exceedance event' above the 1 in 10 year storm event. Flood water should not be affecting other buildings or infrastructure. Full details, calculations, dimensions and location plan of the percolation tests and the proposed soakaways should be submitted for approval. 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, detailed drainage calculations to limit the discharge rate from the site equivalent to 5.0 l/s 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 to ensure that the proposed surface water drainage systems for the site are fully compliant with regulations and are of robust design. The applicant should submit details on how the contaminated water in the yard from spillages or cleaning of agricultural buildings will be managed/ isolated from the main surface water system. The design and layout of the surface water drainage is acceptable. A condition

and informatives relating to foul water drainage are recommended and are included in Appendix 1.

Public representations:

4.8 The application has been advertised in accordance with relevant provisions and the nearest properties have been individually notified. Representations have been received from 7 local residents, 6 objecting and 1 in support. The comments can be summarised as follows:

4.9 Objectors:

- i. Vaughan: This application indicates that no additional local employment would be generated. The local residents therefore gain nothing from the proposed expansion, except for noise, vibration, dust, damage and danger.. Chicken depopulation days are already a real nuisance, but the more frequent bulk food containers are a thundering menace. They vibrate windows of the roadside cottages of Shipton, Brockton and the conservation area of Bourton. Since the build of the first chicken unit by the applicant, there has been expansion here and a further chicken farm has been allowed at Bradley Farm in Bourton. Vehicles to all these locations use the B4378 (with permission), even though there is a weight restriction order (W.R.O.) in place. This W.R.O. was granted because the Shipton to Bourton road is single track for much of it's length and the large vehicles rarely give way (probably cannot!), forcing locals off the highway. It is inevitable that a serious accident involving these lorries will result and the building of two further poultry sheds and five food silos will add a far from insignificant amount of large traffic to the narrow local lanes and will increase the danger. I therefore request that this expansion be refused on safety grounds and because of the damaging effect on the conservation areas of the Corvedale.
I have sent in a report from 'Stoneycroft planning & development consultants'. This report shows that many relevant facts were omitted from the application. I would also like to know how the proposed biomass boiler is to be fuelled and whether in fact there are also many large woodchip transport lorries which also need to be taken into account?
- ii. Stanley: Whilst we appreciate the need to make a living in the rural community, we are concerned that the expansion of the existing chicken farm will set a precedent for further expansion and lead to an industrial size scale chicken farm on the outskirts of our small village. Our concerns centre around the potential increase in heavy vehicles passing through the village, which they currently already do at speed and the environmental effects from practices such as the spreading of waste on the surrounding residents. We would ask that all the necessary impact reports are completed before any consideration is given, so that all concerned can truly understand the potential impact of this application.
- iii. Lasance: This application would bring the total number of chicken sheds to 9 with a total capacity of 330,000 birds on site. It begs the question "When is enough - enough!". "Woodhouse Fields Farm is located...near to the river Corve. The farm, including the application site occupies a broad rolling valley bottom". The Development site adjoins the River Corve and any run off will be to the River Corve - It is left to the applicant to submit a risk assessment. It would therefore be in his own best interests not to acknowledge a risk. An application for a wind turbine was recently withdrawn by

this applicant when there were local concerns over the impact to the environment. This application refers to 5 "feed bins" which I take to be grain silos which also have significant visual impact. This application "will provide benefits to local ecological networks and habitats". What about the impact on the habitats of the residents nearby? "The ES is intended to enable stakeholders to understand the nature of the proposed development and to evaluate the likely significant environmental impacts. In the case of the local planning authority it will be used in the decision making process as the relevant planning policy supports large scale agricultural development only where there are no unacceptable environmental impacts." This is followed with "There will be no increase in vehicle movements outside the hours of 23 to 0700 and therefore there is no assessment of the noise impact of offsite vehicle movements at night." These lorries pass within feet of our house and are already rattling our windows disturbing our sleep. By the same token "due to the separation distance between the site and the places where people live no assessment has been made of the impact of particulate matter and odour on humans". The "Valuable crop fertilizer" can be an assault to the olfactory senses. Fields on which manure will be stored and spread will not be confined to the area of the application site but will be within the larger surrounding area in which we live. The manure is required to be removed in sheeted trailers for transport off site - this is not happening at present... It is incongruous in an area which is reliant on the tourism to disregard the impact this development will have on the unique nature of this environment - Bourton is frequently likened to The Cotswolds. Those of us living in the area are not "separated by distance", we are sharing the same roads and frequently pass this farm and by the same token, the farm vehicles must pass us. These vehicles were designed for use on motorways, not single track roads. The pot-holes and muddied verges will tell the tale. If you are unlucky enough to meet one of these towering vehicles in your car the only course of action is for YOU to back up. Doubly unlucky if another vehicle is behind you. You could be reversing for some considerable distance. If you happen to be on horseback and there is no nearby open gateway then you will undoubtedly be in danger. Transport via the B4378 has a HGV lorry ban. There are narrow pinch points, for instance near Bradely farm and at the descent into Much Wenlock where there are high banks which will not allow any vehicles to pass one another, much less HGVs. Yet this application will bring more lorries down these roads. It may be that some form of re-routing may be proposed by the applicant but in reality he has no control of vehicles travelling to his farm or any other vehicles sharing the roads. By virtue of the fact that so much is written in the application in order to create the comforting feeling that the applicant has spent time and money to cover every aspect of the proposal, and yet the words "no significant impact" appear time after time which negates in a few words all that goes before. The whole tenet of the arguments, brings to mind that phrase "Methinks thou dost protest too much".

- iv. Weaver: My family and I have lived in this area for many years, during that time farming has changed namely bigger machinery. This I accept being from a farming background, however residents and other road users opinions must now be considered for the following reasons: Extra buildings will mean more large vehicles on our road, namely HGV's, Tractors, Trailers laden and unladen. The road structure is deteriorating causing potholes, uneven camber and surface break up is happening, surely it will only worsen if more of these heavy vehicles and their loads are allowed to use it. A great concern is safety, the road is quite narrow in places and there are a few sharp corners, which when meeting these large vehicles can be a hair raising experience especially when there is no safe place to pull over. In conclusion I am worried my family,

neighbours and all who use this road regularly will if permission is granted have to suffer the consequences of the decision.

- v. Howell: The Bourton area is idyllic and benefits from being a quiet area. The lane and general area would be ruined by an increase in traffic flow, in particular, heavy industrial lorries on an already poorly maintained and small country lane. There are few passing points and there are already issues with large lorries (milk and feed suppliers) using this lane excessively and at ridiculous times of the day and night.
- vi. Birley: I object to this development on two grounds. Firstly because of the increased traffic on a very narrow country lane, where there are already plans to increase housing in the village of Bourton adding to more cars using the lane in both directions. Secondly the plans for the major expansion of this industrial farming do not appear to have any provision to hide the barns from the south or west, other chicken farms in the area have been landscaped with bunds or sunk into the ground. The site of these intensive factories from nearby footpaths and bridleways is not one that fits with the beautiful surroundings. The environmental impact documents also do not appear to be available in the application. On the 24th of June, at midday in very hot sun there were two lorries packed with live chickens on the lane to Monkhopton. The driver refused to let the post mistress get past and was pretty rude. We both had to reverse back downhill some distance. This sort of problem is going to get worse with three times the amount of traffic transporting live birds. It is also inaccurate to state that this application only affects one house, it affects the whole village of Bourton and Monkhopton, and two caravan parks.
- vii. Grosvenor: My objection is due to the increased amount of traffic on the Monkhopton to Bourton lane; there has already been an increase in traffic, especially large lorries, over the past few months, this will only compound the issue. The road surface is already damaged and full of pot-holes. My second objection is on an ethical ground that the birds will not be free roaming.

4.10 Support:

Bason: I support this application provided better landscaping is done as these sheds are very visible from our property and the landscaping on the previous sheds was very poor.

5.0 THE MAIN ISSUES

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

6.0 OFFICER APPRAISAL

Policy context:

- 6.1 National Policy: The National Planning Policy Framework (“NPPF”) advises that the purpose of the planning system is to contribute to achieving sustainable development (para 6) and establishes a presumption in favour of sustainable development (para 14). This means “approving development proposals that accord with the development plan without delay” and supporting sustainable economic growth (para 18). There are three

dimensions to sustainable development: an economic role, a social role and an environmental role (para 7). Significant weight should be placed on the need to support economic growth through the planning system (para 19). Paragraph 28 states that “planning policies should support economic growth in rural areas in order to create jobs and prosperity...”.

- 6.2 The applicant considers that the proposals comply with all 3 dimensions of sustainability. It is stated that proposed development performs an economic role because it involves investment in an existing business which supports local rural jobs (NPPF Para 18, 19, 28). The development performs a social role because the jobs and investment would help to support the local economy and hence the rural community. The applicant considers that the development also performs an environmental role because it is an environmentally efficient system of farming and the proposed landscaping would protect the local environment and deliver biodiversity benefits (NPPF Section 7, 11, para 118). The Environmental Statement also concludes that there would be no significant adverse effects on health and quality of life due to the separation distance between the site and places where people live. Environmental issues are considered in succeeding sections.
- 6.3 Core Strategy: Policy CS1 of the Core Strategy sets out in general terms that Shropshire will support investment and new development and that in the rural areas outside of settlements this will primarily be for “economic diversification”. Policy CS5 (Countryside and Green Belt) supports agricultural development, provided the sustainability of rural communities is improved by bringing local economic and community benefits. Proposals should however be “on appropriate sites which maintain and enhance countryside vitality and character” and have “no unacceptable adverse environmental impact”. The policy recognises that “the countryside is a ‘living-working’ environment which requires support to maintain or enhance sustainability”. Paragraph 4.74 states that: “Whilst the Core Strategy aims to provide general support for the land based sector, larger scale agricultural ...related development, including ... poultry units ... can have significant impacts and will not be appropriate in all rural locations.”
- 6.4 The applicant states that the proposals conform with CS1 and CS5 because:
- Its primary purpose is economic diversification;
 - It will assist in providing balance to the rural community by encouraging local people to live and work in the community;
 - It assists in achieving the aim of local food production and also food traceability and security, reducing the UK’s reliance on imported food sources including poultry;
 - It will provide local employment and economic benefits;
 - The Environmental Impact Assessment demonstrates that the proposals have no unacceptable impact on the environment;
 - It will enhance the vitality and character of the living working countryside by sustaining the local community and bringing local economic benefits.
- 6.5 Policy CS6 advocated high standards of design and sustainability. The applicant states that the proposal incorporates sustainable design considerations including:

- Sustainable drainage, water efficiency and renewable energy generation systems, energy efficiency (appropriate insulation);
- Sustainable construction methods (modern poultry shed design).
- The proposal does not propose significant levels of traffic.
- The proposal does not adversely affect the natural and built environment and is appropriate in scale, density, pattern and design taking into account the local context and character.

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

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

Environmental implications of the proposals

6.9 Transport: Policy CS7 requires sustainable patterns of transport. In terms of transportation the Environmental Statement predicts that the proposals will generate a marginal change in vehicle movements on the bird depopulation days and a minimal change in vehicle traffic overall to the existing operation. The change in traffic to the farm is stated to be well within the day-to-day variation of flow on the adjacent highway network.

6.10 Delivery times vary in line with existing operations. Manure generated from the proposed development would be used on land farmed by the applicant and taken from the farm by tractor and trailer in line with existing farming practices. The existing farm access already accommodates all farm traffic (including HGV movements) to the farm, and benefits from good existing visibility splays of 2.4m by 90m in both directions. The farm implements a clockwise system for routing of HGV’s via the B4378 Much Wenlock road and the B4368 via Monkhopton to avoid the possibility of farm HGV’s meeting in opposing directions during busier periods.

6.11 There would continue to be 7.6 bird crop cycles per year and the depopulation process would continue to operate with a maximum of two movements per hour between the hours of 0200 and 0700. The applicant states that this approach minimises disturbance to residential properties on the clockwise HGV route to/from the site. It is stated that the level of two HGV movements/hour for depopulations between the hours of 0200 and 0700 has previously been accepted by the Council and the Planning Inspectorate on comparable consented schemes across Shropshire.

6.12 With the existing 240,000 bird operation on 25 days of the crop cycle there are no HGV movements. On a further 11 days of the crop cycle there is an average of only 1 HGV visiting the site each day. On 5 days of the crop cycle there are 2 HGV's visiting the site each day. On only 5 days of the whole crop cycle are there more than 3 HGV visits per day. The existing poultry operation generates a total of 156 HGV and Tractor and Trailer movements over its cycle, or 1,186 movements over the year (7.6 crop cycles). With the proposed 330,000 bird operation. On 24 days of the crop cycle there are no HGV movements to/from the site. On a further 8 days of the crop cycle there is an average of only 1 HGV visiting the site each day. On 8 days of the crop cycle there are 2 HGV's visiting the site each day. On only 6 days of the whole crop cycle are there more than 3 HGV visits per day. As with the existing poultry depopulation good practice and bird welfare standard will be followed and the depopulation will not start earlier than 0200; on the longest depopulation day is normally completed by 1400 hours. The crop clearance will take place over a two two-day periods separated by a week, and during the 0200 to 0700 period there will be typically no more than two HGV bird removal movements to/from the site per hour. Depopulation HGV movements and times during the night will not change from the existing situation; there will continue to be a maximum of ten HGV movements between 0200 and 0700 during the night for a maximum of 30 days during the year.

6.13 Objectors to the scheme cite concerns about vehicle movements as one of the main concerns. One objector has commissioned a consultant's report which raises the following highway concerns.

- 1) The width and alignment of the unclassified highway which is the sole means of access to Woodhouse Fields Farm;
- 2) The visibility available along that highway and at the Farm entrance is considered insufficient;
- 3) The farm traffic generation, it's routing and likely conflict with other road-users.
- 4) The methodology employed by the applicant's highway consultant is questioned. reliance is placed upon the continuance of the current voluntary traffic patterns, ie. over-night and specific routing.
- 5) The forecasts of traffic generation are questioned but even if they are accepted the consultant concludes that this will greatly exacerbate an already unsatisfactory and potentially dangerous highway situation. The EIA quotes 116 HGV's per cropping cycle but the consultant considers 197 HGV movements would be more likely based on the ratio for a much smaller site in Warwickshire.

The objector's consultant concludes that current traffic generations are inappropriate for the rural location and restricted access to the existing poultry establishment, even if the voluntary measures are fully honoured.

6.14 The following can be said with respect to the objections referred to above:

- 1) Unclassified road: Levels of traffic to the facility are low outside of depopulation periods and would not change. Depopulations would occur at night times between 2am and 7am when other road use is at its lowest and a one way system would continue to apply. The frequency of HGV movements during depopulations would not exceed the current rate of 2 return HGV movements (4 individual movements) per hour which has been considered an acceptable rate for night time depopulations at other Shropshire poultry sites. The facility would increase from 7

houses with 249,900 bird places to 9 houses with 330,000 birds and there would be a corresponding increase the length of HGV movements, but the frequency would not increase. The unclassified road is considered suitable to accommodate this additional 'out of hours' HGV traffic.

- 2) Visibility from farm entrance: This is considered sufficient and compliant with normal highway safety criteria for unclassified roads.
- 3) Conflict with other road users: The majority of the HGV traffic would take place during off-peak times for other road users and would be subject to a one-way routing system. Hence, the potential for conflict with other road users would be correspondingly reduced;
- 4) Methodology: The methodology of the applicant's highways report is considered acceptable and consistent with other highway reports on poultry units received by the Council. The pattern of over-night traffic and one-way vehicle routing forms an integral part of the existing and proposed operation and has been designed taking account of the local highway system. There is no proposal to change this system.
- 5) Forecast: The applicant's forecasts are considered to be credible and are consistent with other poultry units of similar size in Shropshire. The objector's consultant's report refers to a much smaller unit in Warwickshire. However, factors such as vehicle size and load characteristic will influence HGV numbers.

6.15 Highway officers have reviewed these comments but do not consider that a highway refusal could be substantiated. Given the absence of objection from Highway officers and the proposed traffic control measures it is concluded that the proposals are capable of complying on balance with relevant highway policy considerations. (Core Strategy Policy CS7).

6.16 Odour and noise: Core Strategy Policy CS8 seeks to maintain and enhance existing facilities, services and amenities and to contribute to the quality of life of residents and visitors. The proposals are considered unlikely to give rise to any significant additional effects on amenities of residents and visitors due to the separation distance between the site and places where people live. The Environment Agency regulates poultry units through the Environmental Permitting system, including odour control, and has not objected. Modern ridge extraction fan systems can significantly reduce the off-site odour concentrations. The proposals also involve the installation of heat exchangers in the existing and proposed poultry houses. This will reduce the moisture of poultry litter which will also likely to result in odour reductions relative to the existing situation. The site is sufficiently far from private residential property for noise from the operations not to be an issue. It is concluded that refusal on grounds of odour or noise could not be justified and that the proposals are compliant on balance with relevant amenity policies including Core Strategy Policy CS8.

Natural and Historic Environment:

6.17 Policy CS17 states that "development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources, and should not adversely affect visual, ecological ... heritage or recreational assets.

6.18 Ecology: An ecological report assesses the potential impacts of the proposed poultry farm on protected species and their habitats. Habitats on-site are generally of low value given the intensive use of the site for agriculture and the value of the site as habitat for

protected species was found to be limited. There are no records for specially protected species in the 1km surrounding the site. The report concludes that the development, as a result of the proposed landscape enhancement measures will have a positive input on local species and habitats.

- 6.19 Natural England and the Council's Ecology section have not objected. The latter notes that there are a number of ecological designations in the area surrounding the site. However, the proposal to install heat exchangers in the existing and proposed poultry units will result in a significant reduction overall in the level of emissions from the facility. The landscaping proposals overall would result in ecological improvements relative to the current situation. Conditions and notes covering ecological matters have been included in Appendix 1. It is considered that the proposals would not impact adversely on ecological interests and the proposed landscaping measures are capable of delivering ecological enhancements in accordance with Policy CS17.
- 6.20 Visual impact: The proposed site is set down in a valley location at the northern end of the Corvedale and is remote from the nearest privately owned residential properties. The remainder of the farm is in arable use and comprises of a mix of medium, large and very large scale fields bounded by hedgerows or remnant hedges with occasional small woodlands. No public rights of way are directly affected by the proposed development, although there are rights of way 300m to the south west 600m to the south east with potential views of the site. The site is located 2.5km from the nearest part of the Shropshire Hills AONB and is not visible from the AONB due to distance and the intervening topography.
- 6.21 A Landscape and Visual Impact Assessment (LVIA) explains the potential impacts of the proposed poultry farm on the fabric of the landscape and the perception of landscape character of the area. It also considers the potential impacts of the proposed development on visual amenity, assessing individual views surrounding the site in accordance with established methodology. The site is located within the 'Riverside Meadows' landscape type at its interface with the 'Estate Farmlands' landscape type. The LVIA concludes that the development will have no significant effect on either landscape character or visual amenity. Whilst the proposed poultry units would be quite large structures they sheds would be of a 'low profile' design, would be located in a topographic depression adjacent to existing agricultural buildings, would generally be viewed only from a distance and the proposed landscaping measures would further assist in integrating the site into its surroundings.
- 6.22 The only public views identified in this assessment where the proposed development would have more than negligible significance are those of walkers/horse riders along the road from Bourton to Monkhopton; along Footpaths 0133/29, 0131/17 & 0131/16; and along Bridleways 0133/13M & 0131/13. Whilst walkers and horse riders using these routes have been treated as having Medium/High susceptibility, the views from these routes are only of local level value. In each of these cases the scale of visual effect has been assessed as Low/Medium over geographical areas ranging from Low to Medium. In all these cases the duration of the effect would be Long Term. Whilst such effects may be raised as local issues the LVIA assessed them as being of Minor adverse significance. The LVIA considers all the other effects on identified public views to be of Negligible adverse significance only. Only 2 private dwellings would be affected: The Floors and the mobile home at Kitesnest Farm. Again, whilst the visual effects on these properties may be raised as local issues the

LVIA does not consider that these would comprise important considerations in the decision making process.

- 6.23 A consultant acting for an objector has questioned the conclusions of the LVIA, stating that the existing sheds are readily visible from the west down a wide shallow valley. A failure of tree planting on the existing grassed bund is noted. Other views from the nearest footpaths to the south and south-east are provided. It is accepted that localised views of the site would be possible from the surrounding area. However, it is not considered that the proposals would give rise to a degree of wider visual impact which would be unacceptable and sufficient to justify planning refusal when the benefits of local food production are taken into account. With the exception of these localised views acknowledged by the LVIA it is considered that the site is generally well screened from most viewpoints. The proposed sheds would be 1-1.5m lower than the existing sheds and would be contained by the proposed re-aligned bund and associated landscaping. It is unfortunate that tree planting on the bunds linked to the previous consent failed. It is important that the proposed planting succeeds and an appropriate condition with aftercare provisions has been recommended in Appendix 1.
- 6.24 Subject to this it is concluded that the proposals would not give rise to an unacceptable visual impacts on the landscape provided they are subject to appropriate landscaping and surface treatment conditions. It is considered that any residual visual effects after the proposed landscaping is taken into account would be limited and outweighed by the benefits of the scheme to agriculture and the rural economy.
- 6.25 Cultural Heritage: There are no known designated or un-designated heritage assets within the proposed development site boundary. However the surrounding area contains a number of non-designated heritage assets primarily relating to the Medieval period. The site is currently arable and has been consistently disturbed in the past as a result. In view of this, and the degree of disturbance undertaken during construction of the existing poultry shed unit and the creation of the screening bund, the assessment concludes that the proposed development site is of low archaeological potential. Nevertheless, a heritage assessment concludes that appropriate mitigation in the form of an archaeological inspection following the topsoil strip over the site in order to record any archaeological evidence or artefacts revealed may be a suitable response to the application, in accordance with NNPF (2012). The assessment concludes that the application will have minimal visual impact on the setting of any heritage assets. An archaeological watching brief condition has been recommended and is included in Appendix 1.
- 6.26 Water resources: Policy CS18 requires sustainable water management to reduce flood risk and avoid an adverse impact on water quality. The applicant states that the proposal accords with Policy CS18 as it will not give rise to significant adverse effects on water or flooding. The proposed Sustainable Urban Drainage System (SuDS)) will prevent any risk of flooding. The Council's Drainage section has not objected. Appropriate conditions and advisory notes are recommended in Appendix 1.
- 6.27 Pollution: Manure from the site would be stored in in-field stores before being applied to the land as organic fertilizer. No manure would be stored on site, even for a short period. The applicant farms sufficient land area to spread the poultry manure within its own ownership and suitable storage locations are available away from ground and surface water sources. None of the land that the applicant farms falls within a Nitrate

Vulnerable Zone. It is considered that the proposals would not pose any significant risk to ground or surface water quality. The poultry units would be heated by a modern biomass boiler system which would be fully compliant with relevant air emission standards. Biomass boilers produce a drier heat than traditional gas fired boilers which reduces the moisture content of poultry litter. This in turn reduces ammonia emissions and has benefits for bird welfare. The renewable heat energy produced by biomass boilers also has benefits in terms of climate change by substituting for the greenhouse gases which would otherwise be emitted by a fossil fuel heating system.

- 6.28 Material balance: The proposals would require excavation works and removal of the existing bund in order to create a level development platform. The surplus excavated material would be accommodated within the proposed new bund, thereby eliminating the need for such material to be disposed of at a suitably licensed inert waste facility.
- 6.29 Consideration of alternatives: Alternatives were considered as part of the design process. The application site was preferred as it adjoins the existing buildings and farm driveway and also has easy connection to existing services. It is considered that this is preferable to establishing an isolated poultry site away from the main farmstead and that the proposed development represents an appropriate choice having regard to the potential alternatives.

7. CONCLUSION

- 7.1 It is considered that the proposals represent an appropriate form of expansion for the existing farm business. It will assist in ensuring the future profitability / robustness of the business whilst continuing to contribute to the local economy and employment. It will also provide locally sourced food as part of a key industry in Shropshire, supplying a strong national demand for poultry meat. The proposals therefore comply with Core Strategy policies CS1(sustainability), CS5 (Countryside) and CS13 (economy).
- 7.2 It is considered that the EIA accompanying the application demonstrates that the environmental impacts of the proposed development are not significant and are capable of being effectively controlled and mitigated. The design of the scheme incorporates sustainable features such as biomass heating, SuDS and landscaping. The proposal would accord with Core Strategy policies CS6 and CS17, and Much Wenlock Neighbourhood Plan policy GQD2 in terms of having regard to the local context and the character of the 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 proposals are capable being accepted in relation to relevant development plan policies and guidance.

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

Risk Management

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

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

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

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

Human Rights

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community. First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents. This legislation has been taken into account in arriving at the above recommendation.

Equalities

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

9.0 FINANCIAL IMPLICATIONS

- 9.1 There are likely financial implications of the decision and/or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. BACKGROUND

RELEVANT PLANNING POLICIES

Central Government Guidance:

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

- 10.1.1 The National Planning Policy Framework (NPPF) came into effect in March 2012, replacing most former planning policy statements and guidance notes. The NPPF provides a more concise policy framework emphasizing sustainable development and planning for prosperity. Sustainable development 'is about positive growth – making economic, environmental and social progress for this and future generations'. 'Development that is sustainable should go ahead, without delay - a presumption in

favour of sustainable development that is the basis for every plan, and every decision'. The framework sets out clearly what could make a proposed plan or development unsustainable.

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

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

10.2 Core Strategy:

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

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

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

i. CS6: Sustainable Design and Development Principles:

To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which *mitigates and adapts to climate change*. This will be achieved by: Requiring all development proposals, including changes to existing buildings, to achieve criteria set out in the sustainability checklist. This will ensure that sustainable design and construction principles are incorporated within new development, and that *resource and energy efficiency and renewable energy generation are adequately addressed* and improved where possible. The checklist will be developed as part of a Sustainable Design SPD; Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced; And ensuring that all development: Is designed to be adaptable, safe and accessible to all, *to respond to the challenge of climate change* and, in relation to housing, adapt to changing lifestyle

needs over the lifetime of the development in accordance with the objectives of Policy CS11 Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, *landscape character assessments and ecological strategies where appropriate; Contributes to the health and wellbeing of communities, including safeguarding residential and local amenity* and the achievement of local standards for the provision and quality of open space, sport and recreational facilities. Is designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision and taking account of site characteristics such as land stability and ground contamination; Makes the most effective use of land and safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water; Ensures that there is capacity and availability of infrastructure to serve any new development in accordance with the objectives of Policy CS8. *Proposals resulting in the loss of existing facilities, services or amenities will be resisted unless provision is made for equivalent or improved provision, or it can be clearly demonstrated that the existing facility, service or amenity is not viable over the long term.*

ii. CS13: Economic Development, Enterprise and Employment:

Shropshire Council, working with its partners, will plan positively to *develop and diversify the Shropshire economy, supporting enterprise, and seeking to deliver sustainable economic growth and prosperous communities*. In doing so, particular emphasis will be placed on: Promoting Shropshire as a business investment location and a place for a range of business types to start up, invest and grow, recognising the economic benefits of Shropshire's environment and quality of life as unique selling points which need to be valued, conserved and enhanced Raising the profile of Shrewsbury, developing its role as the county town, growth point and the main business, service and visitor centre for the Shropshire sub-region, in accordance with Policy CS2 Supporting the revitalisation of Shropshire's market towns, developing their role as key service centres, providing employment and a range of facilities and services accessible to their rural hinterlands, in accordance with Policy CS3 *Supporting the development and growth of Shropshire's key business sectors and clusters, in particular: environmental technologies; creative and cultural industries; tourism; and the land based sector, particularly food and drink production and processing Planning and managing a responsive and flexible supply of employment land and premises comprising a range and choice of sites in appropriate locations to meet the needs of business, with investment in infrastructure to aid their development or to help revitalise them*. Supporting initiatives and development related to the provision of higher/further education facilities which offer improved education and training opportunities to help raise skills levels of residents and meet the needs of employers Supporting the development of sustainable transport and ICT/broadband infrastructure, to improve accessibility/connectivity to employment, education and training opportunities, key facilities and services Encouraging home based enterprise, the development of business hubs, live-work schemes and appropriate use of residential properties for home working In rural areas, recognising the continued importance of farming for food production and *supporting rural enterprise and diversification of the economy, in particular areas of economic activity associated with agricultural and farm diversification, forestry, green tourism and leisure, food and drink processing, and promotion of local food and supply chains*. Development proposals must accord with Policy CS5.

v. CS17: Environmental Networks

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

vii. Other relevant policies:

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

10.3 Saved Local Plan Policies:

10.3.1 Shropshire Structure Plan – Relevant saved policies:

- P16: Protecting air quality;

10.3.2 The Bridgnorth Local Plan The site is not affected by any specific designations in the Plan. Previously relevant policies have now been replaced by the policies in the Core Strategy.10.4 Emerging planning policy documents and guidance10.4.1 Site Management and Allocation of Development Document (SAMDEV) – The site falls within the Much Wenlock area of the emerging SAMDEV but is not subject to any specific allocation. The SAMDEV acknowledges that 'Shropshire must play its part in providing energy from renewable sources. We want to encourage renewable energy developments but we also need to conserve Shropshire's high quality environment. Current Government guidance suggests we should develop criteria to enable low carbon and renewable energy development to proceed when there are no significant adverse effects on recognised environmental assets'.

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

- MD9 – Managing development in the countryside (seeks to protect heritage,

landscape and biodiversity assets);

- MD14 – Protecting and enhancing Shropshire’s natural environment (seeks to ensure that biodiversity sites, habitats and species of recognised value are protected and enhanced).

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

Other relevant plans:

10.5.1 The Much Wenlock Neighbourhood Plan: Key objectives relevant to the current proposals include:

- i. Objective 1 - Local economy and jobs:
The Neighbourhood Plan will facilitate opportunities for new and existing businesses to create employment growth and it will do this through:
 - the designation of additional land
 - the approval of new premises in appropriate location(s)
 - allowing new mixed-use development so appropriate businesses
 - can operate from homes and dwellings and
 - by resisting the change of use of sites currently designated for
 - employment purposes
- ii. Objective 6: Achieving a more sustainable community and addressing climate change:
The Plan will encourage a move towards a low- carbon economy which includes local food production and the generation of renewable energy. We will do this through:
 - Permitting the allocation of land within the parish to support food production that meets local needs and the local market;
- iii. Objective 9: Improving and protecting the local landscape and wildlife:
The Neighbourhood Plan will encourage sympathetic management of the countryside around Much Wenlock to enhance the high quality landscape, improve local biodiversity and other benefits to the community as part of our ‘green infrastructure’
- iv. Other relevant objectives include:
 - Objective 3: Traffic management and community well-being;
 - Objective 4: Community facilities;
 - Objective 7: Protecting our local environment through well-designed development;

11. RELEVANT PLANNING HISTORY:

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

List of Background Papers: Planning Application 15/1808/EIA and supporting documents and plans.

Cabinet Member (Portfolio Holder): Cllr M. Price

Local Member: Cllr David Turner

Appendices: APPENDIX 1 - Conditions

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

APPENDIX 1

Conditions

- 1a. The development to which this planning permission relates shall be commenced within three years beginning with the date of this permission.
- b. Not less than 7 days advanced notice shall be given in writing to the Local Planning Authority of the intended date for the commencement of operations under the terms of this permission. Such date shall be referred to as 'the Commencement Date'.

Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 (1a) and to define and give appropriate advanced notice of the Commencement Date (1b).

2. The development shall be carried out strictly in accordance with the approved plans and drawings numbers:
 - 46634-01 (Location Plan);
 - 46634-02 (Existing Site Plan);
 - 46634-03 (Proposed Layout);
 - 46634-04 (Plans And Elevations);
 - 46634-05 (Plans And Elevations);
 - 1445.03 (Landscape Plan).

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

- 3a. Tree, shrub hedge and other planting and subsequent management shall be carried out in accordance with the approved landscape plan (1445.03). All planting and seeding shall be carried out within twelve months of completion of development.
- b. Any tree, shrub or other planted material which dies or is otherwise lost during the first 5 years post-planting shall be replaced with a tree, shrub or other plant of similar size and species.

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

Ecology:

4. Work shall be carried out strictly in accordance with the Appendix 8 Environmental Statement produced by Churton Ecology (March 2015) and as shown on the approved landscaping plan reference 1445.03.

Reason: to ensure the enhancement of the site for biodiversity (NPPF, CS17).

Notes:

- i. *Special consideration should be made to minimise the impact lighting may have on any foraging & commuting bats. Lighting should not shine on potential ecological corridors and should be in line with the advice available in the Bat Conservation Trust booklet Bats and Lighting in the UK.*
- ii. *Great Crested Newts are protected under the European Council Directive of 12 May 1992 on the conservation of natural habitats and of wild fauna and flora (known as the Habitats Directive 1992), the Conservation of Habitats and Species Regulations 2010 and under the Wildlife & Countryside Act 1981 (as amended). If a Great Crested Newt is discovered on the site at any time then all work must halt and Natural England should be contacted for advice.*
- iii. *The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent. All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive. If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.*

4. A Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the Commencement Date. The plan shall detail measures for managing construction traffic and control of noise, dust and pollution during the construction phase and shall be implemented fully in accordance with the approved details.

Reason: In the interests of highway safety.

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

Reason: To safeguard the amenities of the area.

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

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

7. Full details, plan and sizing of any proposed septic tank including percolation tests for the drainage fields should be submitted for approval including the Foul Drainage Assessment

Contact: Tim Rogers (01743) 258773

Form (FDA1 Form). British Water Flows and Loads: 3 should be used to determine the number of persons for the proposed development and the sizing of the septic tank and drainage fields should be designed to cater for the correct number of persons and in accordance with the Building Regulations H2 Paragraph 1.18. These documents should also be used if other form of treatment on site is proposed.

Reason: To ensure that the foul water drainage system complies with the Building Regulations H2.

Notes:

- i. *Consent or an exemption certificate is required as appropriate from the Environment Agency for discharging treated foul effluent into the watercourse. However, if the ditch/ watercourse is occasionally dry, the treated foul effluent should discharge into a drainage field.*
 - ii. *If using water butts on site these must be monitored to ensure they do not overflow. Opening the tap to allow water to drain freely from the water butt is acceptable as this will act as to attenuate the flow of the surface water collected. It is recommended that the flow route from the water butt is determined to ensure this does not cause issues elsewhere on site.*
8. No development shall commence on site in connection with this approval until the applicant (or agent acting on his behalf) has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: Earthwork remains of ridge and furrow of probable medieval date survive within the field through which the new access road would cross and the programme of archaeological work would be appropriate to mitigate the archaeological impact.

9. 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.

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

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

- 11a. Total lorry movements from the 9 unit poultry site when transporting birds during depopulation shall not exceed a maximum of ten HGV movements (5 return visits) between 0200hrs and 0700hrs.

- b. Depopulations under the terms of this permission shall not take place for more than a maximum of 30 days during a calendar year.

Reason: To minimise disturbance to neighbouring residents.

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

Reason: In the interests of residential amenity.

Note: It will be necessary to provide adequate access for emergency fire vehicles. There should be sufficient access for fire service vehicles to within 45 metres of every point on the projected plan area or a percentage of the perimeter, whichever is less onerous. The percentage will be determined by the total floor area of each building. This issue will be dealt with at the Building Regulations stage of the development. However, the Fire Authority advise that early consideration is given to this matter. The Building Regulations, 2000 (2006 Edition) Fire Safety Approved Document B5 provides details of typical fire service appliance specifications.

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

Reason: For the protection of surface and groundwater resources.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting that Order with or without modification), no development shall be carried out under Class 6 Parts A and B without the prior grant of planning permission from the Local Planning Authority.

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

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

Reason: To protect neighbouring properties.

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

- i. Investigation of the complaint;
- ii. Reporting the results of the investigation to the Local Planning Authority;
- iii. Implementation of any remedial actions agreed with the Authority within an agreed timescale.

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

Note:

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