

## Development Management Report

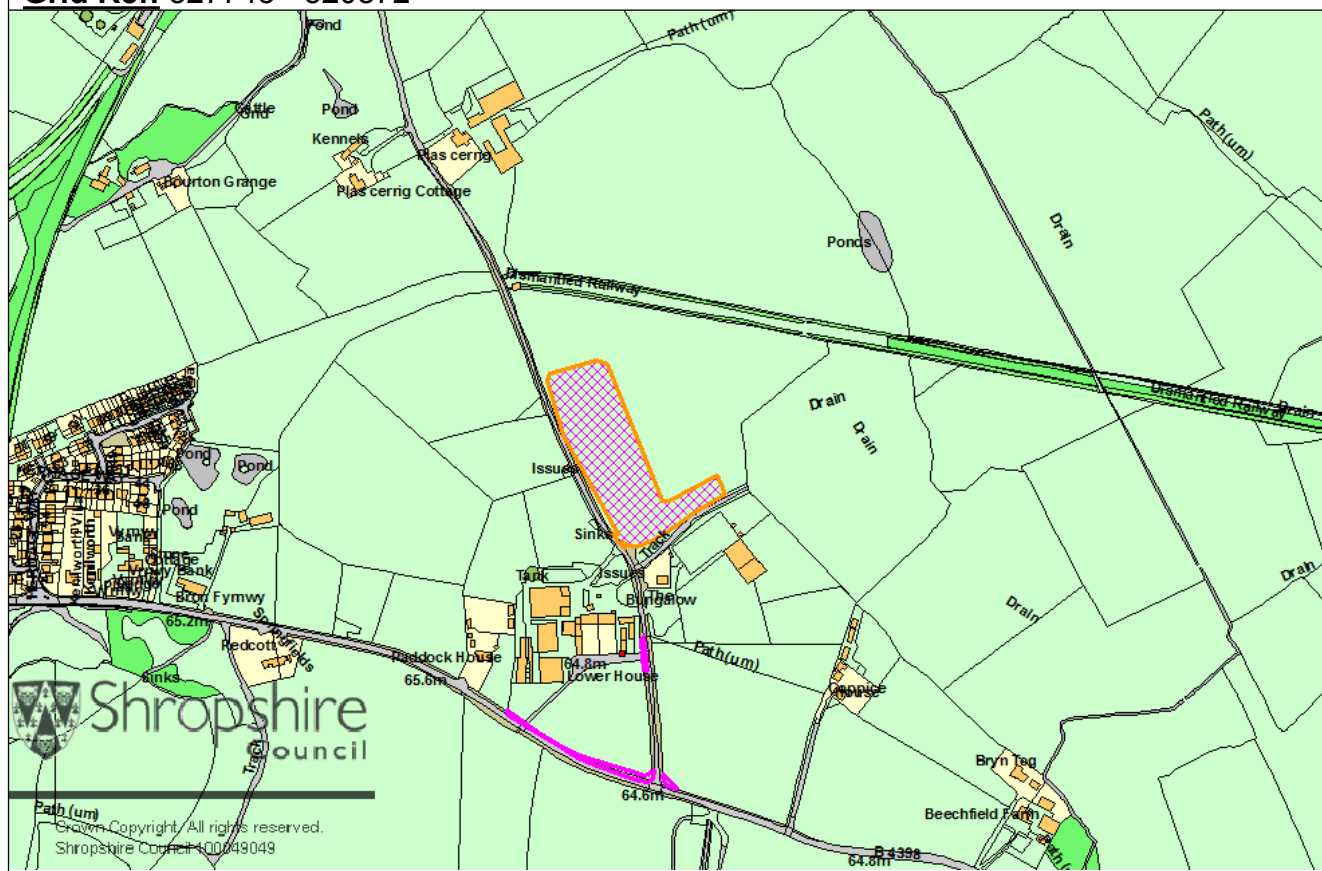
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### Summary of Application

<b>Application Number:</b> 15/01557/EIA	<b>Parish:</b>	Llanymynech And Pant
<b>Proposal:</b> Construction of two poultry sheds and feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping.		
<b>Site Address:</b> Lower House Farm Plas Cerrig Lane Llanymynech Shropshire SY22 6LG		
<b>Applicant:</b> Mr Jonathan Radford		
<b>Case Officer:</b> Philip Mullineux	<b>email:</b> <a href="mailto:planningdmnw@shropshire.gov.uk">planningdmnw@shropshire.gov.uk</a>	

### Grid Ref: 327745 - 320872



## REPORT

**Recommendation: That Members delegate authority to the Head of Planning Services to grant planning permission for the proposed development subject to the conditions as set out in Appendix 1 and any modifications to these conditions if considered necessary by the Head of Planning Services.**

### 1.0 THE PROPOSAL

- 1.1 The application is made in 'full' and proposes construction of two poultry sheds, and three feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping on land to the side of Lower House Farm, Plas Cerrig Lane, Llanymynech, Shropshire.
- 1.2 The application is accompanied by an Environmental Statement which includes reference to a planning policy statement, heritage assessment, transportation assessment, landscape visual impact assessment, flood and drainage assessment, ecological report, ammonia screening report, noise report, odour report and amenity risk assessment. Also accompanying the application is a set of proposed elevation and floor plans, road improvements plan, site location plan and block plan. Further information in relationship to archaeology issues were received during the application consultation process.
- 1.3 The application falls into the remit of the Town and Country Planning (Environmental Impact Assessment), England and Wales) Regulations 2011 (as amended) Schedule one development, and as such an Environmental Statement is mandatory to accompany any planning application for development on site. The threshold for schedule one development is 85,000 broiler birds, this application proposes housing for up to 100,000 birds on site. As such the application was advertised by the Council as development accompanied by an Environmental Statement.

### 2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is located to the north-east of the existing farmyard at Lower House Farm and on opposite side of the adjacent 'Plas Cerrig Lane' which separates the site from the adjacent farmstead. The site sits in a bowl within the wider landscape and forms part of a field that slopes upwards slightly from west to east, and there is significant native vegetation in the form of trees and hedgerows which would contribute towards mitigating any development on site into the wider landscape. The application site which covers an area of approx. 01.56 hectares forms part of a field in arable crop production, (currently maize), which is grade three in accordance with the agricultural land classification. The nearest dwelling to the application site which is outside the control of the applicant is a property known as 'The Paddocks' which is located approx.190 metres in a south westerly direction from the site.
- 2.2 The application site forms part of a family run farming enterprise to which the

applicants wish to diversify the business into 'broiler' production in order to ensure the business remains viable for two sons of the family concerned. The farm extends to 111 hectares, (274 acres), and is a mixed holding mainly involved in beef production with some arable cropping, (potatoes and maize). There is also to the south of the site an equestrian business and it is understood this is in the control of the applicant's family.

- 2.3 The proposed broiler house units will each measure 110.13 metres (plus 3 metres for the control rooms) by 26.61 metre (360ft x 80ft poultry area), with a height to the eaves of 2.5 metres and maximum height of 6.05 metres. In addition to the two poultry sheds there will be 3 feed bins and a feed control building located between the sheds. It is also proposed to construct a 22.46 metres x 17.69 metres biomass building to house the biomass boilers and associated equipment which will be used to heat the poultry houses.
- 2.4 Information submitted in support of the Environmental Statement indicates that the broilers will be brought onto site as day old chicks at a 50-50 mix of males and females. The 36 day growth period will lead to birds being around 2 kg in weight by clear out. It is proposed that there will be around 7 crops produced on site per year. Between each crop there will be approx 10 day turnaround in order to clean out and prepare for the next crop of birds to be reared on site. Stocking on site will be in accordance with the welfare of broiler chickens as covered by the Welfare of Farmed Animals, (England) (Amendment) Regulations 2010. This sets limits on stocking densities to include a maximum of 38kg/square metre and the production cycle will be in accordance with the independently audited Red Tractor Farm Assured Chicken Scheme (formally ACP).

### 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The proposal is for schedule one development in accordance with EIA Regulations and therefore Committee consideration is mandatory in accordance with the Council's scheme of delegation.

### 4.0 Community Representations

- 4.1 Llanymynech and Pant Parish Council **objects**, their response states:

*' The Parish Council objects due to the following issues TRAFFIC - increase on the narrow junction of the cross roads where there is no pavement and HGVs have difficulty, and the mini roundabout at Badgers Green which is unsuitable for HGVs as they have to cross into the opposite carriageway into the path of oncoming traffic. POLLUTION close proximity to large housing estate and possible issues of odour, vermin and flies. The spreading of manure on local fields and the water used for cleaning kept in a lagoon. ENVIRONMENT - The adjacent wetland which drains a considerable area of Pant into a stream which then enters the River Vyrnwy could be polluted. BYPASS - The route of the Bypass may conflict with the site. The operation of the chicken producing business may in the future become a cause for objection to a bypass of the village. Highways England Ltd must be consulted on this issue.'*

#### 4.2 **Consultee Comments**

4.3 **Natural England** raises no objections, however the response indicates that the consultation documents provided by the authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered, i.e. the consultation does not include a Habitats Regulations Assessment.

4.4 **The Environment Agency** raises no objections. The response indicates:

Intensive pig and poultry sites are regulated by us under the Environmental Permitting (England and Wales) Regulations (EPR) 2010. Farms that exceed capacity thresholds >40,000 birds require an Environmental Permit (EP) to operate. For completeness, the total number of bird places proposed (approximately 100,000 broilers) would exceed the capacity thresholds and require an EP to operate. We have just received an EP application for this proposal. We normally recommend the 'twin tracking' of the EP application alongside the planning application. The 'twin tracking' of applications allows for a more comprehensive submission. A cross reference with the permit requirements (those affecting land use decisions) would help demonstrate "the development itself is an acceptable use of the land" (NPPF, paragraph 120).

This is an application for a new poultry farm and there is no existing EP relating to it. An application for an EP was made on the 29 May 2015 and is currently being determined by us. The EP application also includes the self-contained biomass building as shown on the plans.

We carried out an ammonia screening exercise on 24 March 2015. This exercise determined that aerial ammonia emissions from 120,000 broilers would not impact on any designated protected habitat site within the locality and therefore ammonia modelling (for air quality impacts upon designated habitat sites) would not be required. Under the EPR the EP and any future variations cover the following key areas of potential harm:

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

Development Proposals:

Key environmental issues that are covered in the EP include odour, noise, ammonia, bio-aerosols and dust. These relate to any emissions that are generated from within the EP installation boundary.

Based on our current position, we would not make detailed comments on these emissions as part of the planning application process.

As part of the EP application it is 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 an EP we will take action in-line with our published Enforcement and Sanctions guidance.

For the avoidance of doubt we would not control any issues arising from activities outside of the EP installation boundary. Your Council's Public Protection team may advise you further on these matters.

#### Water Management:

The Water Framework Directive (WFD) waterbody in closest proximity to the proposed development site is the 'River Morda – confluence of un-named tributary to confluence of the River Vyrnwy' (Waterbody Reference GB109054049930, which is classified as a 'moderate' waterbody. Any development should not cause any deterioration in water quality or hamper efforts to improve waterbody status to 'good' by 2027. The aim is to achieve good ecological status by 2027.

Clean Surface water can be collected for re-use, disposed of via soakaway or discharged directly to controlled waters. Dirty Water e.g. derived from shed washings, is normally collected in dirty water tanks via impermeable surfaces, as proposed. Any tanks proposed should comply with the Water Resources (control of pollution, silage, slurry and agricultural fuel oil) Regulations 2010 (SSAFO). Yard areas and drainage channels around sheds are normally concreted. Shed roofs that have roof ventilation extraction fans present, may result in the build up of dust which is washed off from rainfall, forming lightly contaminated water. The EP will normally require the treatment of roof water, via swales or created wetland from units with roof mounted ventilation, to minimise risk of pollution and enhance water quality. For information we have produced a Rural Sustainable Drainage System (SuDS), Guidance Document, which can be accessed via: <http://publications.environment-agency.gov.uk/PDF/SCHO0612BUWH-E-E.pdf>

#### Flood Risk:

We note the Flood Risk and Drainage Assessment' by Woodsyde Developments Ltd dated April 2015.

Fluvial flooding - Based on our 'indicative' Flood Map for Planning (Rivers and Sea), parts of the proposed site, including parts of the access, is located within Flood Zone 2 (0.1% annual probability of fluvial flooding). The majority of the site is within Flood Zone 1. However, there are also un-modelled ordinary watercourses running in close proximity to the proposed development. We would recommend that these are considered by your Flood and Water Management team in line with our area Flood Risk Standing Advice, for Development in Flood Zone 2 where the flood zone is generated by an 'ordinary watercourse'. We make the following strategic overview comments given that the application is subject to EIA. The FRA does not define the 1% plus climate change fluvial event. However, in the absence of such we note that the FRA refers to the "Adjacent watercourse/ditch course" and provides a nominal assessment of the potential risk of flooding relative to flood levels. The FRA concludes that "even in extreme flooding the site would not be effected by flooding from the ditch course. However from the Flood Maps it is shown that the access area may be liable to potential flooding. The levels of the access will be adjusted accordingly and a small area of flood compensation provided to the east of the proposed site". In the absence of a 1%

plus climate change event the extent/depth of flooding on the access track is perhaps unclear, including the impacts or requirements for any compensation. However, given the scale and nature of the proposed development, within Flood Zone 2, we would leave the detail of this to your Flood and Water Management team, with reference to the below.

Our standing advice confirms that for 'less vulnerable' development (especially those uses where there are people occupying the building and/or vehicles are present, e.g. office, retail) the FRA should consider safe access above the 1% river flood level plus climate change. However, given the nature of this type of proposal we would advise that this is considered as a less critical risk i.e. future occupants may not be able to access the proposed development (building and/or any car park) in design flood events. On this basis, we would also advise consideration of an appropriate flood evacuation management plan (see below) in consultation with Emergency Planners.

Some water compatible and less vulnerable development such as agricultural developments/structures, stables, etc, by their nature may be floodable and therefore the raising of floor levels may not be feasible/practicable. In these cases, we would suggest that any storage in these buildings, including any flood susceptible electrics, or items that may be damaged should be sited above possible flood levels, in order to minimise flood risk and associated pollution. To help manage flood risk we advise that a Flood Evacuation Management Plan should be considered, in consultation with Emergency Planners and Emergency Services. For information on developing a Flood Evacuation Management Plan see sub-section 22 of the Flood Risk and Coastal Change Section of the PPG and our guidance online at: <https://www.gov.uk/browse/environment-countryside/flooding-extreme-weather>

#### Surface Water and other sources of flooding

For applications subject to EIA we wish to provide 'strategic' surface water comments. Detailed design aspects should be assessed by the Lead Local Flood Authority (LLFA).

We would recommend that the Flood and Water Management team are consulted on the detail of the surface water drainage proposals, as the LLFA. We acknowledge the proposal incorporates limited SuDS, but discharge to an existing watercourse is to be restricted to greenfield run-off rate for events up to a 1 in 100 year plus climate change (20% allowance) design standard.

The potential for groundwater flooding should be considered by the LLFA. For further information please refer to our LPA Process Note 'Operational Development (1ha) within Flood Zone 1'.

#### Manure Management (storage/spreading):

Under the EPR the applicant will be required to submit a Manure Management Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, so long as this is done so within the applicants land ownership. It is used to reduce the risk of the manure leaching or washing into groundwater or surface water. The permitted farm would be required to analyse the manure twice a year and the field soil (once every five years) to ensure that the amount of manure which will be applied does not exceed the specific crop requirements i.e. as an operational consideration. Any Plan submitted would be required to accord

with the Code of Good Agricultural Policy (COGAP) and the Nitrate Vulnerable Zones (NVZ) Action Programme where applicable.

The manure/litter is classed as a by-product of the poultry farm and is a valuable crop fertiliser on arable fields.

We can confirm that the proposed site (as shown on the site plan submitted) is not located within a NVZ.

#### 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:

<http://www.environment-agency.gov.uk/business/444251/444731/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.

Confirmation was received in a letter from the Environment Agency dated 27<sup>th</sup> August 2015 that the Agency has issued an Environmental Permit that will allow this site to operate.

4.5 **SC Highways Manager** has responded to the application with no objections, recommending conditions. The response states:

The highway authority raise no objection to the granting of consent in respect of application 15/01557/EIA subject to the following condition(s) being imposed:-

- Prior to the development hereby permitted being brought into use the access and road improvements layout details as shown on Drawings No.LH-RI-301 & LH-SA-302 shall be fully implemented in accordance with engineering/specification details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

- Prior to the development hereby permitted being brought into use the internal hardstanding vehicle parking and manoeuvring layout details as shown on Drawings No.SA16158/02 shall be fully implemented in accordance with engineering/specification details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

In response to a request for further information the Highways Manager has responded indicating that In response to the local issues relating to the impact of the development on a potential bypass scheme coming forward, the comments from Highways England clearly provide a definitive position on this matter

(Highways England have confirmed that there are no plans for a bypass of Llanymynech.)

Insofar as the highways under Shropshire Council's control, as the local highway authority, we are satisfied that the proposed development and resultant traffic movements can be accommodated on the local highway network. Whilst noting the concerns raised relating to additional poultry traffic movements on the adjacent Class II road B4398, there are no substantive highway grounds that would warrant a highway objection. Moreover, as part of the development proposal improvements are being carried out B4398/Unclassified Road junction in terms of easing the junction radii on the western side, improving junction visibility in both direction along the B4398 and provision of a passing place along the unclassified road.

The highway authority therefore reaffirms its position as outlined previously, subject to the highway conditions requested being imposed upon any consent granted.

- 4.6 **SC Land Drainage Manager** has responded to the application indicating: The drainage proposals in the Drainage and Flood Risk Assessment are acceptable.
- 4.7 **SC Public Protection** raises no objections. The response states: 'Having considered the noise and odour reports it can be concluded that it is possible for the development to occur without considerable noise and odour issues being introduced. As the installation will require an environmental permit issued and regulated by the environment agency, the permit will be the method used to control these issues. I would recommend that the Environment Agency scrutinise the noise assessment and ensure that any improvements in noise are achieved where possible in order to reduce the likelihood of an impact when the installation is commissioned.
- 4.8 **SC Historic Conservation Manager** has responded to the application with no objections. The response indicates that the Heritage Statement submitted in support of the application is sufficient to fulfil the requirements of para 128 of the NPPF in that it describes the significance of any heritage asset affected, including their setting, to a level which has allowed an understanding of potential impact on their significance. It is considered that the impact assessment contained with 7.1 and 7.2 are fair and are not contested and the conclusions that no harm to the character, setting or significance of any designated or non-designated assets will result from the development is agreed, however, it is considered that there is likely to be less than substantial harm to the setting of the non-designated heritage asset (railway bridge and embankment) but it is considered that this is minor.
- It is considered, therefore, that no objection is made to the application in Historic Environment terms.
- 4.9 **SC Planning Ecologist** raises no objections recommending conditions with regards to bat box installation on site, external lighting, landscaping detail and works carried out in accordance with detail as set out in the ecological



assessment report submitted in support of the application are attached to any approval notice issued. The response also indicates that a Habitat Regulation Assessment matrix is attached with the response. The HRA matrix must be included in the Planning Officer's report for the application and must be discussed and minuted at any committee at which the planning application is presented. (A copy of this is annexed to the report).

- 4.10 **SC Archaeology Manager** raises no objections recommending a condition. In his initial response the Manager indicated that an archaeological field evaluation should be commissioned by the applicant and the results submitted to the Local Planning Authority prior to the determination of this application. This should initially comprise a geophysical survey. Subject to the results, it may also be necessary to undertake a programme of targeted trial trenching. This in turn would enable an informed planning decision to be made regarding the archaeological implications of the proposed development in relation to Paragraphs 129, 135 and 139 of the NPPF, and whether any further archaeological mitigation would be required as a condition of any planning consent in relation to Paragraph 141. There should be no determination of the application until the results of the field evaluation has been submitted to the Local Planning Authority.

A further response from the Archaeology Manager in response to further information received indicated that on the basis of the plot of the geophysical survey results and the associated comments from the surveyors, that there is no requirement for any further pre-determination evaluation work on the site. Instead, and in relation to Paragraph 141 of the NPPF, the Archaeology Manager is satisfied that further archaeological mitigation can be secured via a pre-commencement condition for a phased programme of archaeological work. This should comprise an initial evaluation, consisting of targeted trial trenching of the anomaly on the western edge of the site and the palaeochannel, together with two trenches as controls in the quieter areas (e.g. four c.1.8m x 30m trenches), followed by further mitigation as appropriate.

The Archaeology Manager recommends the attachment of the following condition to any approval notice subsequently issued: -

*No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.*

*Reason: The site is known to hold archaeological interest.*

#### 4.11 **Public Comments**

At the time of writing this report 28 letters of objections have been received from members of the public in relationship to this application.

Key issues raised can be summarised as follows:

- Detrimental impact on surrounding residential amenity.
- Proposal will produce an unacceptable odour.
- Proposal will create increased issues with vermin.
- Detrimental impact on public highways.

- The application site is located within 250 metres of a residential area consisting of in excess of 160 dwellings.
- Noise impact
- Increase risk of flooding.
- Proposal will create an unacceptable impact on surrounding public highways, which are not considered to be of a suitable standard to accommodate traffic as a result of the proposed development.
- There will be noise as a result of construction on site.
- Development will affect the value of dwellings within the surrounding area
- Proposal will have an unacceptable impact on public health

## 5.0 THE MAIN ISSUES

- Environmental Impact assessment
- Policy and principle of development
- Siting, scale, design and visual impact and landscaping
- Residential amenity and public protection
- Ecological issues
- Drainage
- Public highway access
- Historic environment considerations.

## 6.0 OFFICER APPRAISAL

### 6.1 Environmental Impact Assessment

6.1.1 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 specify that Environmental Impact Assessment (EIA) is mandatory for proposed development involving the intensive rearing of poultry where the number of birds is 85,000 or more. As such the current proposal is EIA development. The planning application is accompanied by an Environmental Statement, as required by the 2011 Regulations.

6.1.2 The Environmental Statement in support of the application makes reference to a sequential site selection and Officers consider detail as set out on site selection is considered satisfactory with consideration to the farming business concerned and the location and impacts etc.

### 6.2 Planning policy and principle of development

6.2.1 The National Planning Policy Framework (NPPF) advises that the purpose of the planning system is to contribute to achieving sustainable development (para. 6) and establishes a presumption in favour of sustainable development (para. 14). One of its core planning principles is to proactively drive and support sustainable economic development (para. 17). Sustainable development has three dimensions – social, environment, and economic. In terms of the latter the NPPF states that significant weight should be placed on the need to support economic growth through the planning system (para. 19). The NPPF also promotes a strong and prosperous rural economy, supports the sustainable growth and expansion of all types of business and enterprises in rural areas, and promotes the development of agricultural businesses (para. 28). The NPPF states that the

planning system should contribute to and enhance the natural and local environment (para. 109) and ensure that the effects (including cumulative effects) of pollution on health, the natural environment or general amenity should be taken into account (para. 120).

- 6.2.2 Core Strategy Policy CS5 states that development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to specified proposals including: agricultural related development. It states that proposals for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts. Whilst the Core Strategy aims to provide general support for the land based sector, it states that larger scale agricultural related development including poultry units, can have significant impacts and will not be appropriate in all rural locations (para. 4.74). Policy CS13 seeks the delivery of sustainable economic growth and prosperous communities. In rural areas it says that particular emphasis will be placed on recognising the continued importance of farming for food production and supporting rural enterprise and diversification of the economy, in particular areas of economic activity associated with industry such as agriculture.
- 6.2.3 The above policies indicate that there is strong national and local policy support for development of agricultural businesses which can provide employment to support the rural economy and improve the viability of the applicant's existing farming business. In principle therefore it is considered that the provision of a poultry unit development in this location can be supported. Objections to the proposal have been made on the grounds of residential amenity and welfare of birds, however it is noted whilst residential amenity is a planning matter, these matters are also governed under separate legislation. Policies recognise that poultry units can have significant impacts, and seek to protect local amenity and environmental assets. These matters are assessed below.
- 6.3 **Siting, scale and design of structures and visual landscape impact.**
- 6.3.1 Core Strategy Policy CS6 seeks to ensure that development is appropriate in scale and design taking into account local context and character, having regard to landscape character assessments and ecological strategies where appropriate. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets. It is noted that the site is not located within an area designated for landscape value.
- 6.3.2 The application site is located in a 'bowl' within the wider landscape and forms part of a field that slopes upwards slightly from west to east, and there is significant native vegetation in the form of trees and hedgerows which would contribute towards mitigating any development on site into the wider landscape. The landscape is characterised by fields with hedgerow boundary trees, in-field trees and ponds. The area of the application site is generally undeveloped, and is located on opposite side of the adjoining public highway to a farmstead in the applicants' control, which will be used in association to the proposed development. To the north of the application site is the base of a disused railway line, (now in use as a footpath), to which it is considered that development as proposed will

have no significant detrimental impact upon its route, as located between the former railway line and the site for the proposed development is significant vegetation which will help mitigate the development into the surrounding landscape.

- 6.3.3 The development would be located within a primary area of the land owned by the applicant, adjacent to the main farmstead which extends to 111 hectares, (274 acres). The site is accessible from the adjoining public highway which separates the site from the farmstead itself. To the south of the site is an equestrian business to which it is understood is in the control of the farming family concerned. From a sequential site test point of view the location is considered acceptable.
- 6.3.4 A Landscape and Visual Impact Assessment (LVIA) has been undertaken in support of the application. This concludes that the landscape and viewpoint assessment has only identified limited views of the site from certain locations. The views are restricted by the topography of the area and the site itself, and existing landscape features. Views from public roads are limited by roadside hedges and structures and there are limited views from surrounding public footpaths. Any views there are can be mitigated by appropriate landscaping particularly the change in levels. The setting of the local heritage assets will not be significantly affected by the development as there are very limited views from these towards the application site. With consideration to the scale and cumulative impacts of the proposed development in relationship to the location and surrounding land topography Officers concur with this assessment. However it must be noted that owing to the location of the site within a bowl within the wider landscape, further significant development of the scale as proposed on or alongside the site would raise concerns with regards to cumulative impacts in relationship to 'industrialisation' of the rural landscape. The scale as proposed considered acceptable, which will in the wider landscape on balance blend in with the existing farming operations based around the farmstead at Lower House Farm. It is also considered that the proposal will also contribute towards an appropriate form of diversification for the family farming enterprise concerned.
- 6.3.5 Whilst it is acknowledged that the proposed poultry sheds will appear large structures in terms of their footprint, there is also a requirement for consideration to the proposed biomass building, overall and on balance with consideration to the location, surrounding natural vegetation and further landscaping in order to mitigate the development into the existing landscape and whilst it is acknowledged that the applicants have indicated in the Design and Access Statement submitted in support of the application that the proposed poultry sheds and biomass building will be constructed externally of profile sheet cladding finished in a BS12B29 Juniper Green colour to facilitate integration within the landscape, it is recommended that if members are mindful to approve the application, that all development on site, (including the 3 proposed feed silo's and feed operations room), are all externally to colour code BS12B29, (juniper green).
- 6.3.6 With consideration to the above-mentioned, on balance, development is considered acceptable in relationship to siting, scale and landscape and visual impact and as such in accordance with the overall aims and objectives of the NPPF, Policies CS5, CS6 and CS17 of the Shropshire Core Strategy and the emerging SAMDev which can now be attributed significant weight in relationship

to this proposal.

#### 6.4 **Residential amenity and public protection**

- 6.4.1 The proposed development is located some 190m metres from the nearest residential dwelling outside the control of the applicants. The National Planning Policy Framework in paragraph 122 states that 'local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.
- 6.4.2 The applicants will need to obtain from the Environment Agency an Environmental Permit in order to operate the site, this will control issues in relationship to residential amenity. The Environment Agency's response to the application raises no objections indicating that they have received an environmental permit application from the applicants and that this will cover issues such as on site noise, emissions and waste generated on site and their management, the permit will also covers issues of concern in relationship to surrounding residential amenity. An odour management plan will also form part of the Environmental Permit. The response also refers to planning advice as set out in the NPPF.
- 6.4.3 Management operations are as outlined in the EA response as indicated in paragraph 4.4 of this report. Also as indicated in paragraph 4.4 of this report confirmation has been received from the Environment Agency in a letter dated 27th August 2015 that the Agency has issued an Environmental Permit that will allow this site to operate as proposed and as such it is considered that development on site is acceptable in relationship to residential amenity issues . As noted earlier in this report Natural England do not raise any objections.
- 6.4.4 Whilst the concerns of the Local Parish Council and members of the public in relationship to the development are acknowledged, it is considered that Information submitted in support of the application, as part of the Environmental Statement, is acceptable in relationship to residential amenity and public protection, as it is noted that none of the statutory consultees raise any objections on this matter and it is also noted that SC Public Protection have responded to the application referring to the requirement for the EA to scrutinise the proposal in relationship to amenity issues and that the environmental permit issued and regulated by the Environment Agency will control these elements. With consideration to the fact that the EA have issued a site permit, on site observations and consultee responses, the development in relationship to residential amenity issues in relationship to relevant policies is considered satisfactory.
- 6.4.5 The permit issued and monitored by the Environment Agency only covers on site activities and therefore feed deliveries to the site and manure movements off the farming unit concerned will not be covered by the permit, (other than on-site activities), and as such with proximity to the location of dwellings outside of the applicants control it is recommended that conditions are attached to any approval notice issued restricting times for feed deliveries and that any manure removed off site is done so in sealed and covered containers/trailers.

6.4.6 **Manure disposal and storage.** Detail in support of the application indicates that the applicants intend storing some of the manure generated on site, on the farm holding for spreading on land forming part of the farm and that the remainder of the manure will be exported off the farm in sealed and covered trailers. The response from the Environment Agency as outlined in paragraph 4.4 above discusses this aspect of the proposal indicating that under the environmental permitting regime the applicant will be required to submit a manure management plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, so long as this is done so within the applicants land ownership. It is used to reduce the risk of the manure leaching or washing into groundwater or surface water. The permitted farm would be required to analyse the manure twice a year and the field soil (once every five years) to ensure that the amount of manure which will be applied does not exceed the specific crop requirements i.e. as an operational consideration. Any plan submitted would be required to accord with the Code of Good Agricultural Policy (COGAP). Therefore it is considered that the Environmental Permit will address matters of concern in relationship to manure storage and disposal on site. Clearly when manure leaves the permitted holding it then becomes outside of the permit regime for the specific holding and as such it is recommended that a condition is attached to any approval notice if members are mindful to approve the application, in order to ensure all manure moved off the intensive poultry site is done so in sealed and covered trailers as proposed. It must also be noted that the Council's Public Protection section has statutory powers to deal with any proven amenity issues as a result of the development.

6.4.7 On balance the proposal is considered acceptable in relationship to surrounding residential amenity issues, the applicants having obtained an environmental permit for the operations as proposed from the EA. As such the proposal on balance is considered to be in accordance with relevant policies of the Shropshire Core Strategy, the Council's emerging SAMDev and the National Planning Policy Framework on issues in relationship to residential amenity and public protection.

## 6.5 **Ecological issues.**

6.5.1 The application is accompanied by an ecological assessment and the conclusions to the reports are considered satisfactory. A Habitat Regulations Assessment has been carried out and this is attached to the report as appendix 1 for reference purposes.

6.5.2 Natural England and SC Ecology raise no objections and recommend the attachment of conditions to any approval notice issued with regards to wildlife protection, external lighting in relationship to bats, nesting provision, and on site landscaping. Also recommended are the attachment of informatives in order to remind the applicants/developer with regards to the provisions of the Wildlife and Countryside Act 1981, trench excavation, storage of construction materials and badger protection

6.5.3 On ecological issues the proposal is considered acceptable and in accordance with Policy CS17: Environmental Networks of the Shropshire Core Strategy and other relevant local plan policies as well as the National Planning Policy Framework and the emerging SAMDev.

## 6.6 **Drainage**

- 6.6.1 Policy CS18 of the Shropshire Core Strategy seeks to reduce flood risk and avoid adverse impacts on water quality and quantity.
- 6.6.2 The Environment Agency whilst raising no objections to the proposed development acknowledges that the site is mostly within flood zone one, (least risk), and that a small section including access is within flood zone two. The response refers to the flood risk assessment submitted in support of the application and defers to the Council's Land Drainage Manager for further consideration on flood and drainage issues.
- 6.6.3 The Council's Land Drainage Manager has responded to the application raising no objections indicating that the drainage proposals in the Drainage and Flood Risk Assessment submitted in support of the application are considered acceptable. The response recommending the attachment of an informative to any approval notice issued with regards to the surface water outfall structure may require Ordinary Watercourse Consent from Shropshire Council if the headwall is within the channel of the watercourse or the works to construct the headwall is within the channel of the watercourse.
- 6.6.4 On flooding and drainage issues the proposal is considered acceptable and in accordance with Policy CS18 of the Shropshire Core Strategy, the emerging SAMDev and the NPPF.
- 6.7 **Public Highway access**
- 6.7.1 Access to the site will be directly off 'Plas Cerrig Lane, which is a minor single track public highway which runs alongside the western side of the application site. The site is located some 240 metres from the junction of this highway with the B4398 which runs in a direction from Knockin towards Llanymynech in a westerly direction. The Local Parish Council and members of the public raise concerns in relationship to transportation issues. In response to the Parish Council's concerns about the route of a bypass, Highways England have confirmed that there are no plans for a bypass of Llanymynech.
- 6.7.2 The applicants have submitted a highways statement in support of the application and this indicates that the applicants propose to upgrade an existing field access into the site which will be the entrance into the site from the adjoining public highway, as well as improvements to the junction and visibility of Plas Cerrig Lane at its junction with the B4398. These improvements include improved visibility splays to the required standards, which will mean some loss of roadside hedgerow and replanting within the visibility splay line, and a passing place facility between the site and the B4398. A road improvements plan also accompanies the application.
- 6.7.3 Traffic generation as a result of the proposed development is considered acceptable in accordance with the information submitted in support of the application which indicates that all traffic to the site will be from the B4398 direction and with consideration to the surrounding topography and road structure this is considered reasonable.
- 6.7.4 The Council's Highways Manager raises no objections to the proposed development recommending conditions with regards to carrying out road

improvements in accordance with the information as submitted in support of the application and internal parking and layout within the site.

6.7.5 It is concluded that the vehicle movements generated by the development can be accommodated on the existing highway network and that there will be limited impact of no significance in relationship to the existing public highways. The existing access subject to localised improvement will allow for all vehicles to safely turn on and off the highway network and will therefore reduce any impact on the flow of traffic on the highway and will also increase the safety conditions for all road users. As such the conclusions of the Highways Statement submitted in support of the application are shared by Officers who on balance consider the proposed development to be in accordance with Policies CS5 and CS6 of the Shropshire Core Strategy, the emerging SAMDev and the NPPF in relationship to highway and transportation matters.

**6.8 Historic environment considerations.**

6.8.1 Shropshire Core Strategy Policy CS17 requires that developments protect and enhance the diversity, high quality and local character of Shropshire's historic environment. Paragraph 134 of the NPPF requires that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In addition, special regard has to be given to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which it possesses and preserving or enhancing the character or appearance of the Conservation Area as required by section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.8.2 A Heritage Impact Assessment has been submitted as part of the planning application. This concludes that the proposed development of the poultry units will have no impact on, or cause any harm to the character, setting or significance of any designated or non-designated heritage assets. The Council's Conservation Officer concurs with the conclusions of the Heritage Impact Assessment indicating that there will be no significant detrimental impact on heritage assets and it is likely that there will be less than substantial harm to the setting of the non-designated heritage assets (railway bridge and embankment).. As such it is considered that the proposal is acceptable in relation to Core Strategy Policy CS17 and the aims and objectives of the NPPF in relationship to the historic environment.

6.8.3 The County Archaeology Manager in his initial response requested further information in relationship to an archaeological field evaluation. The response indicating that this should include a geophysical survey of the site. The applicants submitted to the Council further information in relationship to a geophysical survey to which the County Archaeology Manager indicated that there is no requirement for any further pre-determination evaluation work on the site. Instead, and in relation to Paragraph 141 of the NPPF, the Archaeology Manager indicates that further archaeological mitigation can be secured via a pre-commencement condition for a phased programme of archaeological work. This should comprise an initial evaluation, consisting of targeted trial trenching of the anomaly on the western edge of the site and the palaeochannel, together with two trenches as controls in the quieter areas (e.g. four c.1.8m x 30m trenches), followed by further



mitigation as appropriate. As such if members are mindful to support the application, it is recommended that a condition in relationship to a phased programme of archaeological work is attached to any approval notice issued, as outlined in the list of recommended conditions as attached to this report.

## 6.9 **Biomass Boiler**

6.9.1 The application proposes construction of a biomass boiler building with a floor area of 22.46 metres x 17.69 metres in a scale and design considered acceptable in relationship to the rest of the proposed development on site. This building to be situated in the south east of the site will house the biomass boilers and associated equipment which will be used to heat the poultry houses. This building will accommodate a boiler room and fuel storage building. In accordance with information submitted in support of the application the boilers will run on virgin wood fuel such as wood chips. The boiler will meet the technical criteria to be eligible for Renewable Heat Incentive.

6.9.2 The biomass boiler and associated construction is considered acceptable and will produce an effective source of heat for the development concerned. Noise, waste and vehicle movements in relationship to the biomass boiler unit have also been taken into consideration. With consideration to the location and visual impact it is recommended that a condition is attached to any approval notice issued, in order to ensure timber in its raw form is not stored outside of the biomass building.

## 7.0 **CONCLUSION**

7.1 The proposal is for two intensive broiler units, a biomass boiler building and supporting infrastructure which will house up to 100,000 birds on site, as part of an appropriate farm diversification venture for the existing family farming business.

7.2 It is acknowledged that the development as proposed is significant in scale and will have an impact on the landscape, however it is considered on balance with consideration to the location, size and scale and cumulative impacts, that this will not be of an adverse effect and with consideration to the economic benefits to the business concerned and production of local food with further landscape mitigation in the form of native plantings and consideration to the external colour of all the development on site to be acceptable in principle.

7.3 The development raises no adverse concerns from any of the statutory consultees to the application, whilst it is acknowledged that the local Parish Council, and members of the public raise concerns as outlined in this report, it is considered that matters as raised are addressed satisfactorily with consideration to the detail submitted in support of the application and responses received from the statutory consultees. The applicants have obtained from the Environment Agency an environmental permit in order for the site to operate and it is considered that this will also address many of the concerns as raised by members of the public and the Local Parish Council, key issues of which are discussed in this report.

7.4 The findings and conclusions as indicated in the Environmental Statement submitted in support of the application are considered acceptable.

7.5 As such the proposed development is considered acceptable and in accordance with relevant policies as set out in the Shropshire Core Strategy, the emerging

SAMDev, the National Planning Policy Framework and other relevant planning guidance. The recommendation is therefore one of approval subject to conditions as attached to this report.

## 8.0 Risk Assessment and Opportunities Appraisal

### 8.1 Risk Management

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

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

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

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

### 8.2 Human Rights

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

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

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

### 8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

## 9.0 Financial Implications

There are likely financial implications if 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 dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

## 10.0 Relevant Planning Policies

### 10.1 Shropshire Core Strategy

- Strategic Objective 9 seeks to promote a low carbon Shropshire by measures that include the generation of energy from renewable sources
- Policy CS5 (Countryside and Green Belt)
- Policy CS6 (Sustainable Design and Development Principles)
- Policy CS13 (Economic Development, Enterprise and Employment)
- Policy CS17 (Environmental Networks)
- Policy CS18 (Sustainable Water Management)
- Policy CS19 (Waste Management Infrastructure)

### 10.2 Central Government Planning Policy and Guidance:

National Planning Policy Framework (NPPF): The NPPF: supports a prosperous rural economy, and states that plans should promote the development of agricultural businesses (Chapter 3); promotes good design as a key aspect of sustainable development (Chapter 7); supports the move to a low carbon future as part of the meeting of the challenges of climate change and flooding (Chapter 10); states that the planning system should contribute to and enhance the natural and local environment by preventing development from contributing to unacceptable levels of soil, air, water or noise pollution (Chapter 11). The NPPF states that local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and recognize that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions, and should approve applications for renewable or low carbon energy if its impacts are (or can be made) acceptable (para. 98).

### 10.3 Emerging policy:

Site Allocations and Development Management (SAMDev) document: Relevant draft Development Management policies include:

- MD2 (Sustainable Design)
- MD7b (General Management of Development in the Countryside)
- MD12 (Natural Environment)
- MD14 (Waste Management Facilities)

**RELEVANT PLANNING HISTORY:**

OS/01/11617/FUL Proposed portal framed building for storage and covered area for horses and livestock INSFEE 22nd August 2001

OS/03/12558/FUL Conversion of barns into a guest house WDN 19th October 2010

OS/96/09604/FUL Conversion of redundant farm buildings into stables, construction of menage for horse exercise and training, and provision of floodlights GRANT 20th March 1997

OS/07/15310/FUL Extension of indoor training centre for equine use GRANT 9th January 2008

10/04918/FUL Erection of a two storey rear extension GRANT 21st January 2011

PREAPP/14/00405 Proposed erection of poultry sheds and associated works PREAIP 12th November 2014

15/01557/EIA Construction of two poultry sheds and feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping. PDE

**11. Additional Information**

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) Cllr M. Price
Local Member Cllr Arthur Walpole
Appendices APPENDIX 1 – Habitat Regulations Assessment Appendix 2 - Conditions

**APPENDIX 1****HRA****Habitat Regulation Assessment (HRA) Screening Matrix**

Application name and reference number:

15/01557/EIA  
 Lower House Farm  
 Plas Cerrig Lane  
 Llanymynech  
 Shropshire  
 SY22 6LG  
 Construction of two poultry sheds and feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping.

Date of completion for the HRA screening matrix:

2<sup>nd</sup> June 2015

HRA screening matrix completed by:

Nicola Stone  
 Assistant Biodiversity Officer  
 01743-252556

**Table 1: Details of project or plan**

Name of plan or project	15/01557/EIA Lower House Farm Plas Cerrig Lane Llanymynech Shropshire SY22 6LG Construction of two poultry sheds and feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping.
Name and description of Natura 2000 site	<b>European Designated Sites within 10km:</b> SAC: <i>Tanat and Vyrnwy Bat</i> <i>Montgomery Canal</i> Ramsar: <i>Midland Meres &amp; Mosses Phase 2</i>
Description of the plan or project	Construction of two poultry sheds and feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping.
Is the project or plan directly connected with or necessary to the management of the site (provide	No

details)?	
Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?	Not Applicable – Where no likely significant effect of the proposals is noted on a European Designated Site (see modelling from the Environment Agency) then consideration of the in-combination effects test is not recommended by Natural England or Environment Agency. Shropshire Council is taking advice from EA and NE throughout the Habitat Regulation Assessment Process.

### Statement

SC Ecology has contacted the Environment Agency in order to receive a copy of their Ammonia Screening Assessment. Kevin Heede has provided this on the 18<sup>th</sup> May 2015.

The relevant thresholds have been agreed between Natural England and Environment Agency for use with the Environment Agency detailed emissions model:

- Emissions of ammonia under 4% of the critical level for a European Designated Site (within 10km)

If any emission on a European Designated Site is over these thresholds then a full appropriate assessment would be required. Any emission under these thresholds is not considered 'significant' by Environment Agency and Natural England and is considered to have no in-combination effects.

All European designated sites have screened out below the critical level of ammonia. The EA has stated that detailed modelling is not required to support this application.

Based on the above, SC Ecology is satisfied that the proposed application is unlikely to have a significant effect on the internationally important interest features of the sites, alone or in combination with other plans or projects.

### The Significance test

Based on the Ammonia Screening output which has been provided by the Environment Agency, and using the modelling and thresholds agreed by Environment Agency and Natural England, there is no likely significant effect of the proposed activity under planning application 15/01557/EIA at Lower House Farm, Plas Cerrig Lane, Llanymynech, Shropshire SY22 6LG for the Construction of two poultry sheds and feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping on any European Designated Site.

### The Integrity test

There is no likely effect on the integrity of any European Designated Site from planning application 15/01557/EIA at Lower House Farm, Plas Cerrig Lane, Llanymynech, Shropshire SY22 6LG for the Construction of two poultry sheds and feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping.

### Conclusions

The Habitat Regulation Assessment screening process has concluded, supported by the evidence from Environment Agency, that there is no likely significant effect and no likely effect on integrity of the European Designated from planning application reference 15/01557/EIA at Lower House Farm, Plas Cerrig Lane, Llanymynech, Shropshire SY22 6LG for the Construction of two poultry sheds and feed bins, ancillary works, access improvements, erection of biomass building and associated landscaping on any European Designated Site.

## Guidance on completing the HRA Screening Matrix

### The Habitat Regulation Assessment process

Essentially, there are two ‘tests’ incorporated into the procedures of Regulation 61 of the Habitats Regulations, one known as the ‘significance test’ and the other known as the ‘integrity test’ which must both be satisfied before a competent authority (such as a Local Planning Authority) may legally grant a permission.

The first test (the significance test) is addressed by Regulation 61, part 1:

61. (1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for a plan or project which –

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.

The second test (the integrity test) is addressed by Regulation 61, part 5:

61. (5) In light of the conclusions of the assessment, and subject to regulation 62 (consideration of overriding public interest), the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

In this context ‘likely’ means “probably”, or “it well might happen”, not merely that it is a fanciful possibility. ‘Significant’ means not trivial or inconsequential but an effect that is noteworthy – Natural England guidance on The Habitat Regulation Assessment of Local Development Documents (Revised Draft 2009).

### Habitat Regulation Assessment Outcomes

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

**If it is not possible to establish this beyond reasonable scientific doubt then planning permission cannot legally be granted.**

### Duty of the Local Planning Authority

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

## **APPENDIX 2**

### **Conditions**

#### **STANDARD CONDITION(S)**

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

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

2. The development shall be carried out strictly in accordance with the approved plans and drawings Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

#### **CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES**

3. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.

Reason: The site is known to hold archaeological interest.

4. Prior to commencement of works on site a scheme of landscaping shall be submitted to and approved by the Local Planning Authority. The works shall be carried out as approved. The submitted scheme shall include:

- a) Planting plans, including wildlife habitat and features
- b) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate. Native species used to be of local provenance (Shropshire or surrounding counties).
- c) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works and this will include vegetation surrounding the application site as referred to in condition number 11 below.
- d) Implementation timetables

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design.

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

5. Prior to the development hereby permitted being brought into use the access and road improvements layout details as shown on Drawings No.LH-RI-301 & LH-SA-302 shall be fully implemented in accordance with engineering/specification details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.



6. Prior to the development hereby permitted being brought into use the internal hardstanding vehicle parking and manoeuvring layout details as shown on Drawings No.SA16158/02 shall be fully implemented in accordance with engineering/specification details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

7. A total of 2 woodcrete bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species shall be erected on the site prior to first use of the building hereby permitted. All boxes must be at an appropriate height above the ground with a clear flight path and thereafter be permanently retained.

Reason: To ensure the provision of roosting opportunities for bats which are European Protected Species

8. Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The 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.

9. Manure will be removed off the application site, (as outlined on the site plan submitted in support of the application), in sealed and covered trailers.

Reason: In consideration of the amenity of the surrounding area.

10. No feeding stuffs will be delivered to the site outside the hours of 8am - 6pm Monday - Saturday or at any times during a bank holiday.

Reason: In the interests of surrounding residential amenity.

11. No timber to be used in relationship to the biomass boiler on site will be stored outside of the biomass boiler building.

Reason: In consideration of the visual and amenity impact.

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

12. Work shall be carried out strictly in accordance with the Ecological Assessment Report conducted by Turnstone Ecology (March 2015) submitted in support of the application.

Reason: To ensure the protection of GCN, a European Protected Species

13. All building development on site, (including all the feed silo's and the feed operations room), are to be all externally to colour code BS12B29, (juniper green).

Reason: In consideration of the visual impact and to mitigate the development into the surrounding landscape.

14. None of the existing trees and native hedgerows on the application site, (other than that as indicated on the plans submitted in support of the application), and surrounding the site in the applicants control will be removed or chopped other than for routine maintenance, detail of which will be submitted to the Local Planning Authority as part of the pre-commencement to condition number 9 as attached to this approval notice.

Reason: With consideration to the surrounding landscape and visual impact.

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