

NORTH PLANNING COMMITTEE

SCHEDULE OF ADDITIONAL LETTERS

Date: September 2nd 2015

NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting

Item No.	Application No:	Originator:
5	15/00925/EIA – Hollins Ln poultry units	Environment Agency

Have confirmed that the Environmental Permit has been issued and have sent a copy to the Council.

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.

Further information has been received from the applicants in response TO Officer request for further clarification on the subject matters as referred to below:

1. Assessment of Alternative Sites

A number of sites were considered for the poultry and AD development and for the purpose of operational efficiency and sustainability, it was determined that the poultry and AD developments should be co-located due to the inter-relationship. The poultry site will provide poultry manure as a feedstock for the AD site, and the AD site will provide renewable energy which will be consumed by the poultry site. The co-location of the proposals was one of the factors that informed the site selection.

Three sites were considered and these were located at Old Springs Farm, a site adjacent to the farm buildings at Tyrley Locks, and the chosen development site at Hollins Lane. The merits of each discounted site are discussed below.

Farm Buildings at Tyrley Locks

Although a substantial range of farm buildings are located at this site, this site was immediately discounted as a result of its proximity to Tyrley Locks and its listed buildings.

Adjacent to Old Springs Farm

This site was also considered for the proposed development. The site is home to the main range of farm buildings associated with HLW Farm's local operations. Whilst a site adjacent to these buildings offered potential, there were a number of reasons why this site was discounted.

The site is distant from the main A529 in comparison with the chosen site which has a direct access, this is the main advantage the chosen site has over Old Springs Farm. In addition, the chosen site is located centrally within the main block of land to provide feedstock for the AD, this land is accessible by internal farm tracks which would reduce vehicle movements along the surrounding public highways. If the site were to be located at Old Springs this block of land could only be accessed by using a stretch of the public highway between Tyrley Locks and Old Springs Farm. Finally, a public footpath is located immediately north of Old Springs Farm, whereas the chosen development site is distant from any public footpath.

The Hollins Lane site was chosen due to its direct access onto the A529, its well screened nature, its position central to the main feedstock source area (accessible via internal tracks), and its distance from sensitive receptors and dwellings. These reasons are discussed in greater detail in Chapter 3 of the submitted Environmental Statement.

2. Entirety of the Development

As confirmed in an email dated 14th, the applicant does not intend to put an agricultural workers dwelling at the site. Neither of the applications includes provision for an agricultural workers dwelling and it is clear this is not being applied for. Both the poultry and AD sites will have monitoring procedures which will include text messaging and alarms if an issue were to arise at the site. Old Springs Farm and Tyrley Locks farm buildings and dwellings are a short distance from the site with the site accessible from these locations in a few minutes.

3. Link between operation of both the poultry unit and AD plant

There are of course benefits for the co-location of the poultry units and the AD unit. This being said, the chosen location is still a suitable location for an AD development or poultry development in isolation. The well screened nature of the site and direct access onto the A529 are just two benefits of the location. The merits of the site are discussed at Section 3 of the Environmental Statement.

In discussion with my client it has been confirmed that the AD plant will not be built if the poultry units are not approved (or built). This being the case my client is happy to accept a condition that ties the operation of the AD plant to the poultry unit. My client has however confirmed that he would not accept a condition that ties the poultry development to the AD plant. The Department of Energy and Climate Change last week announced its review of the Feed-in-Tariff (FiT) regime. If the FiT were to be reduced for Anaerobic Digestion the AD plant would become unviable and would not be built. This considered, the poultry development would operate and is viable without the AD plant. The justification for the poultry site selection is discussed at Section 3 of the Environmental Statement. If the poultry farm were to operate in isolation, the poultry muck would be spread on the surrounding land rather than first used in the AD plant. The surrounding land is accessible via internal tracks and as such this would not result in any further vehicle movements. To confirm, my client would not accept a condition that ties the poultry development to the AD plant and considers this to be unreasonable.

4 .Water Supply

The site will have a mains water supply and therefore the Tyrley Borehole supply will not be adversely affected.

SC Planning Ecologist response.

The Planning Ecologist has responded indicating that there are no objections to the proposed development in relationship to ammonia emissions based on the information as received on this matter. The response recommends conditions to be attached to any approval notice

issued in relationship to bats and landscaping. Conditions in relationship to the bat issue are attached to the report to Committee. (Condition numbers 10 and 11). The response also recommends informatives to be attached. The landscaping condition indicates:

The first submission of reserved matters shall include a scheme of landscaping and these works shall be carried out as approved. The submitted scheme shall include:

- a) Means of enclosure, including all security and other fencing
 - b) Hard surfacing materials
 - c) Minor artefacts and structures (e.g. lighting)
 - d) Planting plans, including wildlife habitat and features (e.g. bird and bat boxes)
 - e) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment)
 - f) 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)
 - g) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works
 - h) Implementation timetables

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

Officer comments

Officers acknowledge that an Environmental Permit has been issued for the site and this will cover matters such as odour, noise, ammonia, bio-aerosols and dust. These relate to any emissions that are generated from within the EP installation boundary.

The additional information received from the applicant also adequately clarifies a number of key outstanding issues. The assessment of alternative sites is considered acceptable and is considered to be in accordance with EIA regulations on site selection. The site is considered an acceptable site for development as proposed with consideration to location, accessibility landscape and visual impact, location in relationship to historic assets and impact in relationship to residential amenity and privacy issues.

The points raised about no requirement for an agricultural workers dwelling is noted. It is also noted that the nearest dwelling to the site is in the control of the applicant and it is understood this dwelling is occupied by an agricultural worker employed in the farming business concerned with this application.

The clarification in relationship to the separate application for the AD plant alongside the proposed broiler unit is noted and matters discussed are considered acceptable. Officers share the applicants concerns that it would be considered unreasonable to tie the proposed poultry unit to the AD plant with consideration to the location for the development, size and nature of the farming business concerned, whilst acknowledging that the AD plant may not be constructed and that the proposed poultry unit is a viable proposal with or without the AD plant for reasons as noted and discussed above.

Issues discussed in relationship to the nearby water supply at Tyrley Borehole are considered acceptable. Pollution in relationship to this would be of a planning concern otherwise matters in relationship to private water supplies are considered a civil matter. Matters in relationship to pollution are discussed as part of the Environmental Statement submitted in support of the application. Pollution is a matter that would also fall into the remit of the EA permit.

The ecology response is noted and it is recommended that the condition with regards to landscaping and ecological issues is attached to any approval notice, as well as the suggested informatives, if members are mindful to support the application.

Change to wording of recommendation.

Grant planning permission subject to conditions as set out in appendix 1 and the additional condition on landscaping and biodiversity as set out above and any other conditions or amendments as considered necessary by the Head of Planning Services.

Item No.	Application No:	Originator:
6	15/01108/MAW – Hollins Ln AD	

Further information has been received from the applicants in response to an Officer request for further clarification on the subject matters as referred to below:

1. Assessment of Alternative Sites

A number of sites were considered for the poultry and AD development and for the purpose of operational efficiency and sustainability, it was determined that the poultry and AD developments should be co-located due to the inter-relationship. The poultry site will provide poultry manure as a feedstock for the AD site, and the AD site will provide renewable energy which will be consumed by the poultry site. The co-location of the proposals was one of the factors that informed the site selection.

Three sites were considered and these were located at Old Springs Farm, a site adjacent to the farm buildings at Tyrley Locks, and the chosen development site at Hollins Lane. The merits of each discounted site are discussed below.

Farm Buildings at Tyrley Locks

Although a substantial range of farm buildings are located at this site, this site was immediately discounted as a result of its proximity to Tyrley Locks and its listed buildings.

Adjacent to Old Springs Farm

This site was also considered for the proposed development. The site is home to the main range of farm buildings associated with HLW Farm's local operations. Whilst a site adjacent to these buildings offered potential, there were a number of reasons why this site was discounted.

The site is distant from the main A529 in comparison with the chosen site which has a direct access, this is the main advantage the chosen site has over Old Springs Farm. In addition, the chosen site is located centrally within the main block of land to provide feedstock for the AD, this land is accessible by internal farm tracks which would reduce vehicle movements along the surrounding public highways. If the site were to be located at Old Springs this block of land could only be accessed by using a stretch of the public highway between Tyrley Locks and Old Springs Farm. Finally, a public footpath is located immediately north of Old Springs Farm, whereas the chosen development site is distant from any public footpath.

The Hollins Lane site was chosen due to its direct access onto the A529, its well screened nature, its position central to the main feedstock source area (accessible via internal tracks), and its distance from sensitive receptors and dwellings. These reasons are discussed in greater detail in Chapter 3 of the submitted Environmental Statement.

2. Entirety of the Development

As confirmed in an email dated 14th, the applicant does not intend to put an agricultural workers dwelling at the site. Neither of the applications includes provision for an agricultural workers dwelling and it is clear this is not being applied for. Both the poultry and AD sites will have monitoring procedures which will include text messaging and alarms if an issue were to arise at the site. Old Springs Farm and Tyrley Locks farm buildings and dwellings are a short distance from the site with the site accessible from these locations in a few minutes.

3. Link between operation of both the poultry unit and AD plant

There are of course benefits for the co-location of the poultry units and the AD unit. This being said, the chosen location is still a suitable location for an AD development or poultry development in isolation. The well screened nature of the site and direct access onto the A529 are just two benefits of the location. The merits of the site are discussed at Section 3 of the Environmental Statement.

In discussion with my client it has been confirmed that the AD plant will not be built if the poultry units are not approved (or built). This being the case my client is happy to accept a condition that ties the operation of the AD plant to the poultry unit. My client has however confirmed that he would not accept a condition that ties the poultry development to the AD plant. The Department of Energy and Climate Change last week announced its review of the Feed-in-Tariff (FiT) regime. If the FiT were to be reduced for Anaerobic Digestion the AD plant would become unviable and would not be built. This considered, the poultry development would operate and is viable without the AD plant. The justification for the poultry site selection is discussed at Section 3 of the Environmental Statement. If the poultry farm were to operate in isolation, the poultry muck would be spread on the surrounding land rather than first used in the AD plant. The surrounding land is accessible via internal tracks and as such this would not result in any further vehicle movements. To confirm, my client would not accept a condition that ties the poultry development to the AD plant and considers this to be unreasonable.

4 .Water Supply

The site will have a mains water supply and therefore the Tyrley Borehole supply will not be adversely affected.

Officer comments

This site will also require an Environmental Permit in order to operate and this will cover matters such as odour, noise, ammonia, bio-aerosols and dust. These relate to any emissions that are generated from within the EP installation boundary. It is understood a permit for this site is yet to be issued.

The additional information received from the applicant adequately clarifies a number of key outstanding issues in relationship to the AD plant as well as the proposed broiler units. The assessment of alternative sites is considered acceptable and is considered to be in accordance with EIA regulations on site selection. The site is considered an acceptable site for development as proposed with consideration to location, accessibility landscape and visual impact, location in relationship to historic assets and impact in relationship to residential amenity and privacy issues etc.

The points raised about no requirement for an agricultural workers dwelling is noted. It is also noted that the nearest dwelling to the site is in the control of the applicant and it is understood this dwelling is occupied by an agricultural worker employed in the farming business concerned with this application.

The clarification in relationship to the AD plant alongside the proposed broiler unit is noted and matters discussed are considered acceptable. Officers share the applicants concerns that it would be considered unreasonable to tie the proposed poultry unit to the AD plant with consideration to the location for the development, size and nature of the farming business concerned, whilst acknowledging that the AD plant may not be constructed and that the proposed poultry unit is a viable proposal with or without the AD plant for reasons as noted and discussed above.

Matters discussed in relationship to the nearby water supply at Tyrley Borehole are considered acceptable. Pollution in relationship to this would be of a planning concern, and this is discussed as part of the Environmental Statement submitted in support of the application, otherwise matters in relationship to private water supplies are considered a civil matter. Pollution is a matter that would also fall into the remit of the EA permit.

No change to recommendation.

Item No.	Application No:	Originator:
7	14/03995/OUT – Hadnall	
Item No.	Application No:	Originator:
8	14/00260/FUL – Norton in Hales	
Item No.	Application No:	Originator:
9	13/03481/OUT – Whitchurch	
Item No.	Application No:	Originator:
10	SC/00228/15 – Stanton TPO	Case Officer

Letters of support

We have received correspondence from 10 separate local members of the community supporting the confirmation of the TPO. In summary the comments include:

- Landmark magnificent tree of the village
- 150 year old link to history in the village
- Healthy and not a danger to motorists
- People had not been aware of the proposal and more time should be allowed for a decision
- Tragedy to remove the tree
- Graces the entrance to the village

Letters of objection

A further letter of objection has been received from the neighbouring property, River Cottage. A summary of the contents are:

- The neighbour feels unable to fill in tree work application forms if necessary and the whole issue is beginning to impact upon her health
- The tree is a forest tree and already too large and could reach in excess of 35m
- There are no shortage of Copper Beech trees at Mill House and her own property
- The owners should be allowed to prune or fell the tree as they see fit
- A reduction or removal would be of considerable benefit to their own property