

TWC/2014/1116

Land North of Hilbrae Pets Hotel, Ellerdine Heath, Telford, Shropshire
Erection of free range egg poultry building and 8 no. feed bins, and creation of new access
from Hazels Road ****AMENDED PLANS RECEIVED****

APPLICANT

Heal Farms

RECEIVED

07/05/2015

PARISH

Ercall Magna

WARD

Edgmond and Ercall Magna

OFFICER Marie Smyth

OBJECTIONS RECEIVED: Yes

**CLLR STEPHEN BENTLEY HAS REQUESTED THAT THIS APPLICATION IS
DETERMINED BY THE PLANNING COMMITTEE**

1. THE PROPOSAL

- 1.1 The application is for planning permission for the erection of free range (egg production) poultry building, eight feed bins with associated ranging area on land to the north of Hilbrae Pets Hotel, Ellerdine Heath. Due to the requirements for the ranging area, approximately 1 ha of land per 2,500 birds, it was not possible to locate a new building on any of the existing Heal Farm free range sites and a new site was required. The site at Ellerdine Heath was considered the most appropriate due to the proximity to the A442, the enclosed nature of the site and the distance from residential properties.
- 1.2 The system employed will be based on the modern Natura system. The free range use, to gain accreditation, must comply with set location criteria, and have access to an appropriate amount of range. The pullets arrive at the facility in one batch at approximately 16 weeks old and the laying birds remain in the unit for just over one year (56 week production cycle) before they are replaced with the next batch.
- 1.3 The site will be accessed from Hazels Road. The application originally proposed to utilise the existing access to the site which is shared with Hilbrae Pets Hotel. Following the initial submission Highways Officers raised issues regarding the acceptability of this, which has resulted in a new access being proposed from Hazels Road, to the east of the existing. The new section will extend approximately 150m into the site to the north west before reconnecting to the existing track. Re-consultation was undertaken with neighbours and interested parties for this revision, as well for revised plans and photomontages submitted during the application process for the proposed feed bins.
- 1.4 The proposed building measures 225m long x 23m wide x 2.76m high to the eaves and 6.03m high to the ridge, constructed with a concrete block base, boarding above and a grey box profile sheet roof. The building comprises two hen accommodation sheds on either side of a central packhouse with eight

feed bins measuring 6.7m high adjacent. Each shed will house a maximum of 32,000 laying birds, 64,000 birds in total, with access to the external ranging area within the 2.29ha site.

- 1.5 The outdoor ranging area will be bounded by an approximately 2m high post and wire electric fence to the perimeter. The fencing adjacent to the access track will be set back by approximately 4m to allow for maintenance of the fence and for the grass to be cut. The access gate is proposed at the end of the track adjacent to an existing concrete pad.
- 1.6 The applicant previously applied for planning permission for the same development at the site (TWC/2014/0482), although this was withdrawn as it was determined that it would be necessary to submit an Environmental Impact Assessment (EIA).
- 1.7 This application is accompanied by an EIA which includes an Environmental Statement (ES) and the following appendices: Ammonia report, highways assessment and addendum, historic assessment, landscape and visual impact assessment, amenity risk assessment, noise assessment and addendum, odour assessment, drainage report and ecology assessment. The application is also accompanied by a copy of the Environmental Permit (EP) issued by the Environment Agency (EA), a Design and Access Statement, Planning Statement and photomontages.

2. SITE AND SURROUNDINGS

- 2.1 The site is located within Ellerdine Heath, a small settlement towards the north of the borough's boundary with Shropshire Council's jurisdiction. The area surrounding the site is predominantly in agricultural use, with some residential properties, farms and the Hilbrae Pets Hotel in the vicinity. Access to the site is from Hazels Road, which runs between the A442 to the east and the A53.
- 2.2 The site measures 2.29ha and is currently used for arable production with areas of rough grass. The land is classified as grade 3 within Natural England's Agricultural Land Classification maps, and is within Flood Zone 1. The site gently undulates and generally rises towards two points where the proposed building will be located. There are various trees and hedgerow around the site boundaries which offer some screening, as well as other landscape features and buildings within the surrounding area.
- 2.3 The proposed building will be located over 200m from Four Oaks Farm to the west, including Hazel's Cottages, with Hilbrae Pets Hotel and the adjacent owner's dwelling located over 420m to the south west of the proposed building. All other premises or residential properties are located over 400m from the proposed building.
- 2.4 The applicant currently operates a site at Osbaston, High Ercall, located approximately 4.5miles to the south of the proposed site. Planning permission (TWC/2013/0818) was granted in October 2013 for an additional free range

poultry (egg production) shed housing 32,000 birds, increasing the total of birds on site to 64,000. The existing and proposed building combined measures 30m wide x 160m in length x 2.8m high to the eaves and 6.9m high to the ridge. There are buildings used for training located 280m away, with the closest residential property approximately 750m away.

2.5 The applicant also operates further egg production and rearing buildings within Shropshire Council's jurisdiction including:

- Hazels Farm, Stanton upon Hine Heath
Located approximately 2.5 miles to the west of the application site along Hazels Road. Consent has recently been approved in November 2014 (14/01108/EIA) for the erection of a second 32,000 free range egg poultry building. The approved and existing building measure 30m wide x 162.5m long x 2.8m high to the eaves and 6.9m high to the ridge. Within the Hazels Farm complex to the south is Hazels Farm Day Nursery, with the nearest residential properties located 240m away.

- Edgebolton, Shawbury
Located approximately 4.2 miles west of the application site. Permission was approved by Shropshire Council in December 2007 (NS/07/02376/FUL) for the erection of a 32,000 free range egg (egg production) shed measuring 30.3m wide x 82.6m long x approximately 3m to the eaves and 7m high to the eaves. The nearest residential properties are located approximately 600m away. The case officer visited this site on 24th February 2015.

3. RELEVANT PLANNING HISTORY

3.1 TWC/2014/0482: Erection of a free range poultry building. Withdrawn 8/8/2014.

4. PLANNING POLICY CONTEXT

- 4.1 National Guidance:
National Planning Policy Framework (NPPF)
- 4.2 Saved Wrekin Local Plan:
E6 Rural Employment General
OL2 Designated areas
UD2 Design Criteria
- 4.3 Telford and Wrekin Core Strategy:
CS2 Jobs
CS12 Natural Environment
CS15 Urban Design

5. SUMMARY OF CONSULTATION RESPONSES

Standard consultation responses

- 5.1 Ercall Magna Parish Council: Object
- Scale of development is unacceptable.

- Insufficient information about the site levels and final building ridge levels.
- Noise pollution from the unit but also from dogs at Hillbrae Kennels which are likely to react.
- Potential to cause river and ground pollution.
- Concern regarding the condition and width of the road, and the potential increase in accidents.
- Further traffic using the road will exacerbate verge and drain damage, adding to flooding problems.
- Following re-consultation further objection has been raised regarding the unsuitability of the new access for HGV's which will result in the removal of hedgerow causing an effect on the amenity of houses opposite and will open up the views of the building.

5.2 Waters Upton Parish Council: Object

- The site and access are totally inappropriate for the size of the facility and the size and number of vehicles that will be travelling to and from the site.
- The roads are narrow and dangerous, as is the access with poor visibility onto a 60mph lane.
- Flooding of the foul water systems.
- River and ground pollution.
- Odour and flies.
- Noise and pollution from the facility, traffic accessing the site and the barking from nearby dogs who will be disturbed.
- Length of the building.
- Loss of good agricultural land.

5.3 Cllr. Stephen Bentley: Object

- Concern regarding the size and number of vehicles accessing the site and the safety of vehicles and pedestrians using the narrow, poor quality road
- Add to current flooding problems.
- Poor location for access.
- Proposal is for a large industrial development, size and scale will be detrimental to the area and result in the loss of good agricultural land.
- Noise pollution, smell and risk of contamination to nearby water-courses.
- Effect on Hilbrae Pet and Rescue Centre and dog walkers.

5.4 Mark Pritchard MP: Object

- Building will have a visual impact on the surrounding rural area.
- Access and the width of the road is not suitable and will be an added danger.
- Loss of track for dog walkers.
- Noise and odour, from birds and manure.
- The noise assessment notes a major impact on neighbouring properties from noise at night, and the advice to shut their windows to lessen the impact is not acceptable.
- The site is close to Hodnet Heath SSSI, and emissions from the site may cause damage to its environment.
- Following re-consultation further objection has been raised regarding the speed assumptions in the amended plans and the loss of the hedges.

- 5.5 Highways: Support subject to conditions
No objection in principle to the application subject to a condition requiring details of the resurfacing of a section of the access road within the site. Details are also required by condition for the construction of the new vehicular access, visibility splays and associated signage. A final condition will require details of a scheme of localised carriageway widening to the road section between the new site access and the A442, which will be agreed through a S.278 Highways Act 1980 legal agreement.
- 5.6 Contaminated Land: No comment
A response of no comments was received in relation to the original application and the subsequent revisions.
- 5.7 Drainage: Support subject to conditions
Recommended a condition that no development shall take place until soakaway tests have been carried out.
- 5.8 Ecology: Comment
No objections subject to conditions requiring a buffer of at least 10m between the ranging area fencing and the watercourses, a badger mitigation strategy and license to be submitted as well as a habitat management plan and lighting plan. An informative has also been requested relating to the removal of hedges outside of the bird nesting season. There is also no objection to revised access or removal of the hedgerow, which is not classed as important under the Hedgerow Regulations.
- 5.9 Environmental Health: No objection.
Officers requested further noise assessments in respect of some extraction units which hadn't been included within the initial noise assessment. Following the submission of an addendum officers are satisfied with the additional information submitted and that the site will be regulated by the EA through the EP. A response of no further comment has been received in relation to the revised plans.
- 5.10 Shropshire Council, Policy and Environmental Sustainability Group: Comment
Based upon the likely traffic movements associated with the egg production unit, it would be difficult to argue that the potential increase in traffic movements on Class III road would justify a highway objection that would stand up to scrutiny.
- 5.11 Natural England : Objection withdrawn
Additional information submitted to demonstrate that there will not be a significant effect on Hodnet Heath SSSI. Advise the authority that this SSSI does not represent a constraint in determining this application.
- 5.12 Environment Agency (EA): Comment
Intensive pig and poultry sites are regulated by us under the Environmental Permitting (England and Wales) Regulations (EPR) 2010. The EA issued an Environmental Permit (EP) to the applicant on 7 October 2014. Under the EPR, the EP covers the following key areas: manure management (storage/spreading), water management, flood risk and pollution prevention. A response with no further comments was received following consultation upon the revisions.

- 5.13 Highways Agency: No comment
A response of no comments was received in relation to the original application and later to the revised access.
- 5.14 Council for the Protection of Rural England: Object
Concern regarding amenity issues, the detrimental effects on Hodnet Heath SSSI, visual appearance, noise, light and odour.
- 5.15 Shropshire Council Archaeology Service: Comment
The proposed development site lies on the site of a complex rectilinear cropmark. The applicant has accordingly undertaken a geophysical survey of the development area. The survey detected no anomalies of archaeological potential. The applicant has undertaken sufficient pre-determination evaluation therefore a condition is recommended to require a programme of archaeological work in the form of an archaeological watching brief during groundworks.
- 5.16 Shropshire Fire Service: Comment
As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications". The same comment was reiterated following further consultation on the revised plans.

Neighbour consultation responses

- 5.17 The Local Planning Authority has received 218 letters of objection, one letter with comments and one of support for agricultural businesses. The issues and concerns raised in relation to the application are summarised below:
- Length of building, design and appearance. The supporting documents are not consistent in describing the land levels and the LVIA is not accurate.
 - Elevated position would make the building prominent, impacting on the landscape.
 - Concern regarding increase in traffic and safety of dog walkers at Hillbrae Pets Hotel, resulting impact on business.
 - Access to the fields will be blocked by the access gate to the site.
 - Increased disturbance to the Hilbrae Pets Hotel leading to barking and further disturbance to neighbouring residents.
 - The width and surfacing of the access track is not suitable.
 - Increased vehicle numbers using small country lanes which are narrow, in poor condition, have poor visibility and have an accident record.
 - Overconcentration of poultry farms in the areas.
 - Benefit of two jobs does not outweigh harm.
 - Not acceptable conditions for the chickens.
 - Damage to wildlife, plants and ecology.
 - Effect on Badger sett, which is not included within the Ecology report.
 - Effect on Hodnet Heath SSSI and watercourses, including Platt brook.
 - The fields have poor drainage.
 - Light pollution.
 - Soil pollution, site is a nitrate vulnerable zone.

- Smell from manure and storage/incineration of dead birds.
- Increase in flies.
- Noise from HGVs, fans and chickens. Suggestion that noise levels will be acceptable with windows closed is not acceptable.
- The noise assessment has not assessed the gable end fans.

5.18 Consultation responses also raised the following non-material planning matters:

- Impact on property values
- The length of the application process and number of amendments.
- Unacceptable conditions for chickens.

5.19 Further consultation has been undertaken following the receipt of the revised access details, photographic viewpoints and details of the feed bins. In total 33 letters of objection and one of support have been received. The following additional points have been raised:

- It will introduce a new dangerous junction on a single width road, resulting in accidents.
- The new junction will be opposite residential properties causing noise, traffic and pollution.
- The scale of the plans is not accurate and incorrectly state the speed limits.
- Topographical information demonstrates that the building will be visible from most roads in the area. The full length would be presented from the A442.
- The building is on a manufacturing scale rather than agricultural.
- Site located within a Groundwater Source Protection zone.
- Loss of hedge and wildlife.

6. PLANNING CONSIDERATIONS

6.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issue:

- Principle of development
- Access, traffic and highways
- Visual impact on the landscape
- Environmental impacts: noise, odour and air quality
- Ecological impact
- Relationship with neighbouring uses and properties
- Archaeology
- Foul and surface water disposal

Principle of development

6.2 The proposal is for an intensive agricultural use within an existing agricultural area. The land is classified as Grade 3, good to moderate, and therefore this development would not result in the loss of high quality land. In any case

there would still be the ability to farm the land at a later date as only areas of hard standing would be lost, which could be utilised for future storage of crop. There is no objection in principle to this development as it will assist in the diversification of the rural economy, as required by Policy E6 of the Local Plan. Supporting economic growth in rural areas in order to create jobs, in this case two full time posts, and prosperity is also advocated by the National Planning Policy Framework (NPPF) and Policy CS2 of the Core Strategy.

- 6.3 Supporting this application in principle will therefore be in accordance with national guidance and local policy. There are clearly other matters to consider which will each be addressed in turn.

Access, traffic and highways

- 6.4 Access will be taken from Hazels Road via a new access point before joining the existing track serving the land. The track up to the point of an existing concrete pad is public highway.
- 6.5 The delivery and collection of the hens every 13-15 months will occur only once a year by HGV. The eggs are collected 3 times a week and will arrive to site from the A53 Shawbury direction, whilst feed will be delivered twice a week from the A442 direction. Both of these movements will be with a HGV. Manure will be collected and spread on existing farm holdings to a maximum of 5 loads per week, by tractor and trailer. The staff will attend on a daily basis in a small van or car.
- 6.6 Currently the land is planted with a spring/summer and an autumn/winter crop. Traffic movements vary depending on the type of crop, a potato crop will generate approximately 280-300 movements, predominantly during harvest time using tractors and HGVs. Other movements include land preparation and crop spraying. The agent's statement considers that the overall number of movements will be similar to those of a free range unit.
- 6.7 The agent has submitted additional information at the request of highways officers, and a revised access proposal. Highways officers have raised no objection in principle to the revised proposal, subject to conditions requiring details of the resurfacing of a section of the access road within the site, construction of the new vehicular access, visibility splays and associated signage. A condition has also been requested for details of a scheme of localised carriageway widening to the road section between the new site access and the A442.
- 6.8 There has been significant objection from neighbours and interested parties relating to the access to the site, the suitability and width of the existing road, vehicles numbers and the safety of other road users, including dog walkers at Hilbrae Pets Hotel. Highways have assessed these issues as part of the consideration process and have concluded that, with the position of the new access and a scheme of localised carriageway widening, there will not be a significant impact on highway safety. The revised access will leave the existing access adjacent to the Pets Hotel available for dog walkers.

- 6.9 The addendum to the ES highway report concludes that the separate access is safe and satisfactory for the level of traffic predicted, providing a high level of visibility. The improved access will allow vehicles to turn safely, reducing any impact on the flow of traffic on the highway and increase the safety conditions for all road users. It also concludes that vehicle movements generated will be conveniently accommodated on the highway network. On balance, it is therefore not considered that access, traffic and highway safety will be a significant issue

Visual impact on the landscape

- 6.10 The application proposes two sheds connected by a central packing building, in total measuring 225m long x 6.03m high to the ridge with eight feed bins adjacent measuring 6.7m high. There has been objection to the length of the building and the impact on the landscape.
- 6.11 The systems operated and equipment used comply with Freedom Food's requirements for bird welfare and range movements, and the length of the building is a direct result of this. The systems have advanced since the recent approvals of similar sheds, which is the reason why the proposal is longer than the 160m building at Osbaston, High Ercall. The proposed building is, however, narrower meaning that the overall footprint is only 375m² larger than at Osbaston.
- 6.12 Officers requested additional topographical information to confirm the land levels and photographic montages to illustrate the building in context. It is considered that this additional information successfully demonstrates that the building will not have an unacceptably harmful effect on the landscape. Views of the building are available from the A442, however, the height of the building, the finish and the position of existing landscaping features will limit these. Lighting will be kept to a minimum, and will in any case be controlled by a lighting plan condition. The loss of the hedge to allow for the access and visibility splays is not considered significant to the landscape character, and details of a replacement hedge will be conditioned.
- 6.13 The ES concludes that the proposal will have a limited effect on the landscape character and visual amenity due the topography of the land and landscape features, which provide screening. It is accordingly considered that the development will respect and integrate with the wider landscape setting and topography, in accordance with UD2 of the Local Plan and CS15 of the Core Strategy.

Environmental impact

- 6.14 The application includes a copy of the EP issued to the applicant from the EA. Through the EP the EA regulate and control the management, operations and emissions associated with the development. This covers the key environmental issues including odour, noise, ammonia, bio-aerosols and dust. Officers have discussed the proposed site and the applicant's existing sites with the EA. The EA confirmed that there had been no formal complaints registered against any of the other sites. In accordance with the advice within the NPPF, local planning authorities should focus on whether the development itself is an acceptable use of the land and the control of

processes or emissions themselves are subject to separate control, and it should be assumed that these regimes will operate effectively.

- 6.15 The proposed unit is located over 200m from Four Oaks Farm to the west and 420m from the Hillbrae Pets Hotel to the south, comprising commercial and residential. There is at least 400m to any other properties, including Hicks Plant to the north east on the A442.

Noise

- 6.16 The potential sources of noise are from the hens, ventilation fans and vehicle movements. Environmental Health (EH) raised no objection in principle to the development, as any noise issues are regulated by the EA. There would be some noise from the due to the number of hens; however, this would not be to a significant level and not disproportionate within the rural area.
- 6.17 EH requested additional information relating to the ventilation fans, the noisiest ventilation units on the gables had not been assessed as it was suggested that these are used very infrequently. Subsequently an addendum to the noise assessment has been submitted which assesses these units operating at full velocity, therefore a worst case scenario. The noise assessments were undertaken in relation to Hillbrae Kennels, Four Oaks Farm and Hicks Plant as potential sensitive receptors. EH is satisfied with the findings of the report and the conclusion of the ES that noise should not be considered a material constraint for the development. the ES also concludes that in relation to the three identified sensitive receptors a complaint would be unlikely or marginal. Therefore no mitigation is considered to be necessary, a position which EH have no objection to.
- 6.18 Objectors have raised issue with the statement within the noise report that, with a closed window at night, the level of noise impact at Hilbrae Rescue Kennels and Four Oaks farm would be acceptable. Even with open windows it is not considered that the level of noise would be at an unacceptable level. Objectors have also referred to discrepancies within the reports between two different types of BS regulations referenced within the reports. EH officers have advised that this is due to recent changes in the name of the standards, and notwithstanding this they are satisfied that the proposal will comply with the necessary, most recent requirements.
- 6.19 With regard to potential noise from vehicle movements these are proposed to be 10 per week by HGV or tractor, with the hen collection and delivery occurring every 13-15 months. It is not considered that this would be unacceptable or significantly greater than the vehicle movements currently associated with the use of the site for agriculture. Apart from the hen collection, which occurs at night for welfare reasons, the other HGV movements will be during the day, unless there are extenuating circumstances. The agent has agreed to a condition stating there will be no vehicle movements, with the exception of the hen collection and delivery, outside the hours of 7.00am and 7.00pm.

Odour

- 6.20 An assessment of the impact of odour produced by the development has been submitted. Given the belt system for manure handling into covered trailers it is stated that, with the procedure undertaken in accordance with the manure management plan, the only potential odour sources are point sources from the laying shed ventilation.
- 6.21 The manure removal will be undertaken twice weekly into covered trailers for application to farmland elsewhere in the region. In terms of the potential for odour emissions, the operational design and management of an egg laying facility differs significantly from that of a broiler growing facility, and the odour emissions reflect this difference, and are significantly lower on average.
- 6.22 The EP licence identifies an incinerator on site, and a number of objections have been raised relating to the smell from this. However, it has been confirmed that the fallen stock will be collected by an approved dead stock removal tractor. Dedicated fallen stock sealed vermin proof containers are used and can be stored in deep freezers. These are collected on a regular basis to be incinerated, usually every two to three days. Sites are regularly audited by other authorities to ensure that they remain compliant and ultimately this is regulated by the EA through the EP licence.
- 6.23 The ES concludes that odour impacts will remain below the EA limit for intensive agricultural operations. Following the odour assessment, built in odour control measures and the Environmental Permit Odour Management Plan it is also concluded that any potential impact from odour will be insignificant.

Air quality

- 6.24 The assessment of air quality concludes that the nature of the receptors, nature of the development and the environmental controls built into the development mean that emissions to air should not have a significant effect on air quality, the health of local people, or designated wildlife sites. The EA has fully assessed airborne emissions including ammonia as part of the EP application process and has issued the permit. EH has raised no objection to these findings.
- 6.25 Matters relating to noise, odour and air quality have therefore been assessed and are to the satisfaction of the EA under the Environmental Permitting (England and Wales) Regulations 2010. The Council's EH officers are satisfied with the additional information submitted relating to noise and that the site would be regulated appropriately by the EA.

Ecological impact

- 6.26 The conclusions of the ES and the Ecological Assessment based on the findings of a Phase 1 Ecological survey identify that the proposed development will only directly affect an area of arable land, which is not a priority habitat and is considered to be of low ecological value. The assessments identified that the site mostly consists of arable land with a wide band of 'rough' grassland along the lowest ground. There are grassland margins to the arable land, as well as numerous hedgerows. Platt Brook, a Local Wildlife Site, is located immediately north of the site with the Hodnet

Heath Sites of Special Scientific Interest (SSSI) located approximately 2.9km further north.

- 6.27 The site is not designated for its wildlife interest at an international, national or local level and no legally protected species were identified or are likely in the habitats encountered. A separate Badger Survey has been submitted, although for legal reasons this cannot be published. Although the majority of the hedgerows are likely to remain unaffected, none are classed as important under the Hedgerow Regulations
- 6.28 Natural England initially objected to the proposal but has since withdrawn this following the submission of further information which demonstrated that there will not be a significant effect on Hodnet Heath SSSI. The Council's Ecologist also raises no objection to the proposal or conclusions of the report, although has requested a number of conditions. These include a pollution environmental management plan to ensure that construction activities do not cause pollution or sedimentation to enter the watercourses. This was also suggested by the EA. To reduce the potential for pollution and disturbance of the watercourses from poultry, a condition will also require a buffer of at least 10m between the ranging area fencing and the watercourses. Other conditions require a badger mitigation strategy and license to be submitted as well as a habitat management plan and lighting plan. There is also no objection raised from the Ecologist to new access road or the removal of the required section of hedge, subject to an informative requiring its removal of outside of the bird nesting season.
- 6.29 It is therefore considered that, in accordance with policies OL2 of the Local Plan and CS12 of the Core Strategy, the natural environment and the adjacent SSSI and Local Wildlife site will be protected.

Relationship with neighbouring uses and properties

- 6.30 Many of the matters which have been raised as concerns by neighbours have already been discussed within this report, and will be controlled through the EP. However, a number of other matters have been raised.
- 6.31 Firstly, the potential impact on the safety of dog walkers from Hilbrae Pets Hotel and rescue kennels who use the track to exercise the dogs. A revised access from Hazels Road has now been proposed, which re-connects to the track beyond Hilbrae Pets Hotel. This will mean that dog walkers will be able to use this section of the track as they do currently. With regard to remainder of the access beyond this section, this is public highway used by a range of vehicles associated with the agricultural use of the land. Particularly in light of the revised access it is not considered that the proposal with the associated vehicles numbers, limited to 10 HGV or tractor movements per week in addition to the 13-15 monthly bird collection/delivery, will have an unacceptably harmful effect on the operation of the business to warrant the refusal of the application.
- 6.32 Similarly, it is not considered that the no. of vehicle movements will have an unduly harmful effect on the occupants of Stoneycroft or the neighbouring

Ryecroft and Bridgecroft, opposite which the new access from Hazels Road is proposed.

Archaeology

- 6.33 Comments were received advising that the proposed development site lies on the site of a complex rectilinear cropmark. It was recommended that an archaeological evaluation of the application site be undertaken prior to the planning application being determined. The applicant accordingly commissioned a geophysical survey of the development area, which detected no anomalies of archaeological potential. The report was submitted to and considered by the archaeological officers and it was concluded that sufficient pre-determination evaluation of the site had been undertaken to enable a recommendation to be made on the application. It was recommended that a condition of any planning permission should require a programme of archaeological work in the form of an archaeological watching brief during groundworks.

Foul and surface water disposal

- 6.34 No objections to the proposal have been received in respect of foul and surface water drainage from either the EA or the Council's Drainage Officers. A condition has been recommended that no development shall take place until soakaway tests have been carried out, which will accordingly be applied. Accordingly officers are satisfied that the site can be suitably drained.

Other matters

- 6.35 A number of objectors cited concerns regarding the impact on property values, although this is not a material planning matter that can form part of the consideration process; nor are the objections relating to the length of the application process and the number of amendments that had been made. Officers have considered the issues raised through the consultation process and duly addressed matters arising to be able to appropriately determine the application. There have been amendments to the application, namely the submission of photomontages at the request of officers, revised access proposals and the submission of plans and revised photomontages for the proposed feed bins, which were omitted from the original plans in error. All of these revisions have been subject to consultation allowing local and interested parties to comment. The welfare of the chickens can also not be considered as part of the application process, and would be controlled and monitored through other regulations.

7. CONCLUSIONS

- 7.1 The proposal will be an appropriate development in the rural area and will help support economic growth. The application has demonstrated that the building will integrate within the landscape and, with appropriate highway works, will not have an unacceptable impact on highway capacity or safety. The conclusions of the reports contained within the ES relating to environmental and ecological impact are considered to be acceptable, and accordingly it is not considered that the development will have an unacceptable effect on neighbouring properties and uses. The development

will therefore be in accordance with both local policy and national policy guidance.

8. RECOMMENDATION

8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to then refer to National Planning Casework Unit on behalf of the Secretary of State under the Ministerial Statement of October 2012 to **GRANT PLANNING PERMISSION** subject to the following:

A.) The following conditions and informatives:

1. A04 Time limit
2. B031 Access construction details, visibility splays and signage
3. B036 Carriageway widening
4. B049 Carriageway resurfacing within the site
5. B064 Soakaway Tests
6. B010 Details of materials
7. B110 Programme of archaeological works
8. B120 Details of replacement hedge
9. B142 Construction Management Plan
10. B143 Habitat Management Plan
11. B145 Lighting plan
12. B149 Watercourse buffer zones
13. B149 Badger Mitigation Strategy
14. B149 Badger Development Licence
15. C38 Development in accordance with plans
16. D12 Hours restriction on vehicle movements

Informatives

- I08 S.278 Highways Act legal agreement
- I18 Landfill gases
- I25m Ecology- Nesting wild birds
- I40 Conditions
- I41 Reasons for grant of permission
- RANPPF2 Approval following amendments- NPPF