

APPLICATION NO	PA/2017/564
APPLICANT	Mr Keith Wilson, International Energy Crops Ltd
DEVELOPMENT	Planning permission for the erection of four agricultural buildings for poultry rearing, together with associated feed bins, infrastructure and new highway access
LOCATION	Hall Farm, Middlegate Lane, Bonby
PARISH	Bonby
WARD	Brigg and Wolds
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objections by Bonby, Saxby All Saints, South Ferriby and Worlaby Parish Councils

POLICIES

National Planning Policy Framework: Paragraph 11 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should promote the development and diversification of agricultural and other land-based rural businesses.

Paragraph 32 states that all developments that generate significant amounts of movement should be supported by a transport statement or transport assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people, and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 123 states that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

Paragraph 128 states in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

North Lincolnshire Local Plan: Policies RD2, RD14, RD15, T1, T2, LC7, HE9, DS1, DS11 and DS16 apply.

North Lincolnshire Core Strategy: Policies CS1, CS2, CS3, CS5, CS11, CS16, CS18 CS19 and CS25 apply.

Supplementary Planning Guidance 5 (SPG5) (North Lincolnshire Landscape Character Assessment and Guidelines)

Supplementary Planning Guidance 3 (SPG3) (Design in the Countryside)

CONSULTATIONS

Highways: No objection. Recommend the following conditions:

1. No development shall take place until details showing:
 - the method of preventing any vehicular access to the site via the existing grain store facility on Middlegate Lane;
 - the method of improving the proposed access track, including provision of passing places and improved access to the C118;
 - adequate vehicle parking, turning and servicing facilities within the site;have been submitted to and approved in writing by the local planning authority.
2. The proposed development shall not be brought into use until all works approved under the above condition have been completed.

Humberside Fire and Rescue: It is a requirement for commercial premises that adequate access for fire-fighting is provided to all buildings or extensions to buildings.

Natural England: The proposal is unlikely to affect any statutorily protected sites. The application and associated documents have not been assessed for impacts on protected species. Standing advice should be applied to this application as it is a material planning consideration in its determination.

Historic Environment Record: Further to a previous memo, the applicant has submitted amended landscaping proposals. These proposals will secure the preservation of the archaeological remains at this site, flanked by the woodland planting. As such the previous comments made on 18 July 2017 are withdrawn and reference should be made back to the recommendations in the original memo dated 6 June 2017. To reiterate, where the

planning authority is minded to grant consent, any permission should be subject to conditions securing the latest landscaping scheme for the preservation in situ of archaeological remains, and a programme of archaeological monitoring and recording during groundwork to construct the new section of the access track.

Environment Team (Ecology): A detailed assessment of potential landscape impacts should be carried out by the local planning authority. The proposal is not likely to harm designated sites or protected or priority habitats or species. The new landscaping proposals still include some inappropriate species and may have their own landscape impacts. Planning conditions are proposed to minimise harm to protected and priority species and habitats and to seek biodiversity enhancement in accordance with the National Planning Policy Framework.

Environment Agency: The applicant has applied for and been granted an environmental permit for the operation. Looking through the application documents, these look to be the same as the ones submitted to our permitting team. Therefore no objection to the planning application.

LLFA Drainage: No objection. Recommend conditions in respect of the submission and implementation of a strategy for the management of surface water drainage, incorporating SuDS and measures for its adoption and maintenance.

Environmental Health: No objection, but recommend conditions relating to the fans being installed and maintained in accordance with the noise impact assessment, in relation to construction working hours, that no vehicles gain access to the site from Middlegate Lane and the investigation of any contamination found during construction. The odour assessment is inadequate and further modelling is required.

PARISH COUNCILS

Worlaby Parish Council: Objects on grounds of visual impact, impact on the landscape and that the buildings should be relocated.

South Ferriby Parish Council: Objects on the grounds that the development would result in further industrialisation of the Wolds.

Saxby All Saints Parish Council: Object on the following grounds:

- impact on the character and appearance of the landscape
- it is located on an elevated position and will be highly visible
- impact on the enjoyment of this area by the public
- a dominant development on the landscape
- the scale and size of the development
- designated as an area of 'high landscape value'
- odour impact exacerbated by proximity to the nearest residential properties
- intrusive and offensive odours

- a site in Lincolnshire was fined for excessive odour pollution
- increase in traffic and congestion along local roads including Bonby Lane
- the use of Middlegate Lane should not be permitted
- highway and pedestrian safety concerns
- impact on local tourism, including walkers and cyclists
- risk of the transferral of avian flu to wildlife and humans.

Bonby Parish Council: Objects on the following grounds:

- odour will breach the Environment Agency's guidelines for acceptability
- impact on local residential amenity from odour
- at least seven days a year the recognised acceptable limit set by the Environment Agency will be exceeded in Bonby
- prevailing wind patterns will result in odour being predominantly blown towards Bonby
- noise impact
- impact on the enjoyment of the local public footpath network
- the need for the development is questioned
- contamination to local groundwater.

PUBLICITY

The application has been advertised by press and site notices. One hundred and sixty five letters of objection have been received raising similar issues to those raised by the respective parish councils, together with the following issues:

- impact on landscape
- proximity to Middlegate Lane
- it should be relocated further to the east
- local roads not suitable
- additional traffic
- impact on the Lincolnshire Wolds Area of Natural Beauty
- increase in HGV traffic
- morality of the proposal

- animal welfare issues
- increase in pollution levels
- change in character of the landscape
- impact on protected landscape
- local roads are overused
- other chicken farms in the area are more than moderately offensive in terms of odour generation
- this type of farming is wholly inappropriate
- impact on the Saxby conservation area
- odour modelling data is subjective
- may result in further development in this area
- cambering could occur with implications for local geology and drainage
- proximity to residential areas
- the building will be located on the highest part of the landscape
- contrary to local plan policies
- impact on archaeology
- impact on water quality
- odour from waste, bedding and disposal of waste
- the supporting information is inaccurate
- noise from fans.

Campaign to Protect Rural England (CPRE) Yorkshire and Humber: Objects on the following grounds:

- the proposed application is sited on land within the open countryside which is highly valued in terms of its landscape quality and amenity value to both residents and visitors to the area alike
- impact on important grass verges designated as Local Nature Reserves
- poor access to the site.

STATEMENT OF COMMUNITY INVOLVEMENT

The applicant has not undertaken any public consultation prior to the submission of the planning application and no statement of community involvement has been submitted.

ASSESSMENT

The application site consists of an agricultural field (arable production) positioned towards the top of the ridge above the village of Bonby. There are two existing agricultural barns located approximately 109 metres to the south-west of the site; these buildings are accessed from Middlegate Lane. The land is in agricultural use and forms part of a network of larger agricultural fields which generally run in a west to east direction towards Brigg Road (B1206) and the A15. The topography of the land is such that it rises in a general west to east direction towards the top of the ridge at a maximum height of 90-95 metres. The land is part of Hall Farm, Middlegate Lane, Bonby, which is a parcel of approximately 600 acres of arable land. The farm is currently used in its entirety for the growing of Miscanthus with the existing buildings used for the drying and storage of this product.

This application seeks planning permission for the erection of a new poultry unit at Hall Farm in Bonby. This consists of the erection of four poultry sheds measuring 237.75 metres by 24.69 metres each, with a ridge height of 6.4 metres. The poultry sheds are capable of accommodating 62,500 birds with a total capacity of 500,000 birds. The plans also include the provision of associated infrastructure which consists of bulk bins, hardstanding and concrete aprons, dirty water containment tanks and a new vehicular access track from Bonby Lane measuring 2.7 kilometres in length. The proposed buildings would be used for the rearing of broilers from day old chicks through to finished table weight. The broiler rearing cycle operates on an all in all out system, and each cycle takes 45 days. The broilers are reared for approximately 38 days following which the building is cleaned out in preparation for the next batch of birds. The buildings are empty for cleaning and preparation for 10 days at the end of the growing cycle. The proposed unit will operate with up to 7.5 flocks per birds per annum.

This application constitutes EIA (Environment Impact Assessment) development and an Environmental Statement has been submitted for consideration.

The main issues in the determination of this planning application are the principle of development, its impact on the character and appearance of the countryside/landscape, its impact on residential amenity (incorporating noise, odour and light) and highway issues.

Principle

The National Planning Policy (NPPF) supports the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well-designed new buildings. This also includes the development and diversification of agricultural and other land-based rural businesses. In this case it is confirmed that the proposal is for an agricultural use. The existing agricultural business is based on arable cropping producing Miscanthus. It is noted within the submitted Design and Access Statement that the proposal is to diversify the applicant's existing agricultural business into poultry rearing. Policy RD2 of the North Lincolnshire Local Plan applies and states that planning permission will only be granted for development which is essential to the efficient operation of agriculture or forestry and which cannot reasonably be

accommodated within defined development boundaries. Given that the proposal would result in the diversification and expansion of an established agricultural business within a rural area, and that the scale of development proposed could not be reasonably accommodated in the nearest settlements of Bonby, Worlaby or Saxby All Saints, it is considered that the proposed development is acceptable in principle.

Environmental impacts

The application is accompanied by an Environmental Statement (ES) which describes and analyses the results of the Environmental Impact Assessment (EIA).

The main environmental impacts identified are as follows:

Landscape impact

Government guidance contained within the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions. The proposal is for the erection of four poultry sheds measuring 237.75 metres by 24.69 metres on land located in the countryside.

The Landscape and Visual Impact Assessment (LVIA) is used to systematically identify and assess the nature and significance of the effects of a proposed development on the landscape as an environmental resource and on people's views and visual amenity. The study area for the LVIA was a 2 kilometre radius around the site to ensure coverage of all sensitive areas and receptors. The site is located on land which is defined as Open Rolling High Farmland – Lincolnshire Wolds Escarpment Top character area of the Lincolnshire Wolds Landscape Character Type, of the North Lincolnshire Landscape Character Assessment & Guidelines (NLLCA). It is worth noting that this area is no longer designated as an Area of High Landscape Value under policy LC8 of the North Lincolnshire Local Plan as this not a saved planning policy.

Appendix 9 (Landscape and Visual Assessment) of the Environmental Statement outlines the characteristics of the site, specifically in relation to the landscape classification, the use and nature of the land, the topography, field boundary cover and sites of conservation interest. The ES goes on to identify the nature and location of sensitive receptors to the site and sets out a Zone of Theoretical Visibility (ZTV) to analyse the extent and distance to which the development could theoretically be visible. ZTV analysis uses terrain data only and doesn't take into account any screening that vegetation or the built environment may provide. As part of the assessment a number of viewpoint locations up to a distance of 2 kilometres from the site were selected. These included public rights of way and local highways. These viewpoints are accepted as being representative of accurate views from various distances and sensitive receptors within the vicinity of the site.

The site is devoid of hedgerow cover and is a large rectilinear field with small belts of woodland located to the north-west on the escarpment and there is an existing farm building located within the same field; this is consistent with the character assessment of this area contained within the North Lincolnshire Landscape Character Assessment & Guidelines and this is highlighted in the Landscape and Visual Assessment submitted with the planning application. The vast majority of land in the surrounding area is agricultural in

nature and there are examples of other agricultural holdings, containing agricultural buildings in the vicinity.

The council's ecologist has recommended that a detailed assessment of potential landscape impacts should be carried out by the local planning authority and the applicant's revised Landscape and Visual Impact Assessment should be assessed in detail in the context of Supplementary Planning Guidance SPG5, the adopted Landscape Assessment and Guidelines AND Countryside Design Summary. It is considered that the Landscape and Visual Assessment presented with the Environmental Statement adequately considers the contents of these supplementary planning documents.

The conclusions of the LVIA are that the proposals would have a medium magnitude of landscape effect as they may be prominent from some points to the west and north-west, but may not be considered to be substantially uncharacteristic when set within the attributes of the receiving landscape. This is particularly pertinent in respect of views from Middlegate Lane and Bonby Lane; however, these roads are in close proximity to the site and it would therefore follow that the magnitude of change would be greater in localised views. The undulating nature of the land would, to some extent help to screen views of the proposed poultry sheds in the localised context. The viewpoints assessed showed that, although the development would be visible to some degree from most viewpoints, the potential for significant effect is limited. In terms of views from public rights of way, the viewpoint analysis shows that views of the proposed buildings will be available; however these views will be from a considerable distance and the sheds will be visible in conjunction with the existing agricultural buildings established in this part of the holding. Therefore there will be cumulative impact with the existing agricultural sheds to the south-west. Given the separation distances involved it is considered that there would be no significant intervisibility with listed buildings in Bonby and with the Saxby All Saints conservation area. The line of mature trees which line the top of the scarp will screen views when looking in a north-north-easterly direction from Saxby Road (B1204) between Bonby and Saxby All Saints.

It is worth noting that the proposed poultry buildings have been orientated with their main mass positioned parallel with Bonby Lane, albeit 475 metres to the north; the length of the buildings along their northern and southern elevations is 237 metres. This means that the western elevation (at an overall width of 121.6 metres) will be the most visible aspect of the development when viewed atop the escarpment; however, they will be viewed in conjunction with the existing agricultural buildings which are located in closer proximity to Middlegate Lane. The positioning of the proposal is consistent with policy RD14 (Agricultural and forestry buildings) of the North Lincolnshire Local Plan in that it will be sited in close proximity to existing buildings and designed to utilise existing landforms and vegetation to minimise visual impact. In addition, the design and access statement highlights that this site has been selected as the existing agricultural buildings at Hall Farm house a biomass heating system which is used to heat existing drying floors within the building for the drying of the Miscanthus produced on the farm. The applicant also proposes to connect the proposed poultry unit into the existing biomass heating system housed in the existing buildings; therefore a location in close proximity to the existing buildings is essential. In terms of design the proposed poultry sheds will be constructed from a steel frame and finished externally in metal profile sheeting with the walls in grey and the roof in a blue colour. It is considered that the appearance of the proposed poultry sheds is consistent with the appearance of existing intensive livestock units located within rural areas and with the appearance of the existing

agricultural buildings on the site. Furthermore, the proposed buildings are to be concentrated together which will help to minimise their visual impact and make screening easier.

A comprehensive landscaping scheme is proposed as part of the development, which seeks to mitigate the visual impact of the development upon the prevailing rural landscape whilst providing biodiversity enhancement and opportunities. At present there are clear views of the site/development from Middlegate Lane; however these will be of a transient nature for road users (including cyclists) and these views would be mitigated by planting over time. Other views would be long distance, largely where there are gaps in hedgerows and tree belts with no intervening features or where there are seasonal losses in vegetation cover. Once the landscaping, including the woodland, becomes established over time it will provide an additional cluster of woodland, similar to the sections of woodland in existence on the escarpment.

It is accepted that the proposed development will have some extent of visual prominence owing to the scale of the proposal. However it is considered that the visual prominence and therefore the visual impacts of the proposed solar farm will be localised. It is accepted that the proposal will be visible from some local roads, public rights of way and in specific views as a result of the undulating landscape (topography), gaps in hedges/trees and seasonal losses in vegetation cover; however, the landscape is not a static picture and is ever evolving through a combination of natural and man-made influences.

SPG5 states that in this area the council will seek to conserve the existing pattern of large farmsteads with open views and that, where possible, new agricultural buildings should be located within existing farmstead curtilages. It goes on to promote the conservation, restoration, replacement and management of primary hedgelines, particularly in prominent or historically significant locations. The proposed development consists of the expansion of an existing farmstead (Hall Farm) and is located adjacent to two of the existing farm buildings associated with this holding. The development is concentrated so as to constitute a single large farmstead, leaving the rest of the holding as open, arable land. Furthermore, the applicant has proposed to introduce areas of hedging and woodland planting along the boundaries of the proposed poultry sheds as part of a landscape mitigation scheme.

On balance, whilst it would be visible from some viewpoints and would represent a new form of built element into the rural landscape, it is considered that the development could be successfully assimilated into the surrounding landscape without any significant adverse impacts on visual amenity or the character or appearance of the area. With the implementation of the proposed mitigation consisting of planting these impacts would be minimised.

Residential amenity/odour

A significant number of objections have been received on grounds of odour and noise disturbance to residential properties located in both Bonby and Saxby All Saints. Policy RD15 of the North Lincolnshire Local Plan applies and states that proposals for new intensive livestock units and associated structures, or the expansion of existing intensive livestock units, will only be permitted provided that:

- (i) the units are not located within 800 metres of the Scunthorpe and Bottesford Urban Area, principal or medium growth settlement; or

- (ii) within 400 metres of a minimum growth settlement; or
- (iii) within 200 metres of an individual dwelling, excluding those connected with the livestock operation.

It should be noted that the proposed intensive livestock unit will not be located within any of the distances specified in policy RD15 of the North Lincolnshire Local Plan. Policy DS1 states that development should not result in unacceptable loss of amenity to neighbouring land uses in terms of noise, smell, fumes, dust or other nuisance, while policy DS11 states that planning permission for development, including extensions to existing premises and changes of use, will only be permitted where it can be demonstrated that the levels of potentially polluting emissions, including effluent, leachates, smoke, fumes, gases, dust, steam, smell or noise, do not pose a danger by way of toxic release, result in land contamination, pose a threat to current and future surface or underground water resources, or create adverse environmental conditions likely to affect nearby developments and adjacent areas.

However, paragraph 122 of the National Planning Policy Framework 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.

This type of a development requires an Integrated Pollution Prevention and Control (IPPC) permit from the Environment Agency, and such a permit has been granted to operate this proposed intensive livestock unit. The IPPC permit covers issues such as on-site noise, emissions and waste generated on site and their management as well as issues of concern in relation to the surrounding environment. The above said, the local planning authority will need to be satisfied that the proposed use can be regulated effectively, without undue environmental harm.

The proposed development is of a nature that has the potential to produce noise and odours. There are some residences in the area surrounding the site of the proposed poultry unit, the nearest sensitive receptor or residential property being located approximately 530 metres to the south-west. An Odour Impact Assessment, Ammonia Report and Noise Impact Assessment have been submitted as appendices to the Environmental Statement.

The Odour Impact Assessment uses computer modelling to assess the impact of odour emissions from the proposed broiler chicken rearing buildings. The odour emission rates from the proposed poultry houses have been assessed and quantified based upon an emissions model that takes into account the internal odour concentrations and ventilation rates of the poultry houses. The odour emission rates obtained were then used as inputs to an atmospheric dispersion model which calculates odour exposure levels in the surrounding area. The assessment concludes that the results of the modelling indicate that should the proposed development of the poultry unit at Hall Farm proceed, at all residential receptors considered, the 98th percentile hourly mean odour concentration at nearby residences would be below the Environment Agency's benchmark for moderately offensive odours, a 98th percentile hourly mean of 3.0 ouE/m³ over a one year period. The maximum predicted exposure at residences is 1.52 ouE/m³. It is noted in the Odour Impact Assessment that such odours would not give rise to a significant proportion of complaints when referring to research by UK Water Industry Research (UKWIR). While it is noted that Environmental Health has requested further modelling data for odour dispersion rates for

this application, it is considered that the applicant has submitted information that adequately assesses this issue and which is consistent with the recognised industry standards.

Similarly the Ammonia Report concludes that at all the receptors considered (31 in total) the process contribution to maximum annual ammonia concentrations (and nitrogen and acid deposition rates) would be below the Environment Agency's lower threshold percentage of Critical Level or Critical Load for the site's designation (4% for SACs/SPAs/Ramsar sites or SACs and 100% for LWSs). In terms of waste disposal, the supporting information states that the proposed poultry units would operate on a floor litter basis and would generate approximately 500 tonnes of manure per flock cycle. Manure would be removed from the buildings at the end of the flock cycle, loaded directly into sealed trailers and transported off the site for disposal through biomass power stations. The inside of the buildings would be drained to a sealed dirty water collection tank. This would prevent the potential for pollution arising from dirty water on the site, and is also a specific requirement in terms of the Environment Agency's IPPC permitting process.

Notwithstanding the request from Environmental Health for additional odour modelling data, the local planning authority is satisfied that the Environmental Permit would ensure that odour and waste arising from the proposal is controlled by the Environment Agency to their statutory standards. Whilst there is the potential for odour, given the above, the local planning authority is satisfied that that the proposed poultry unit can be regulated effectively, without causing materially detrimental levels of odour pollution to residential properties. This view is consistent with a recent appeal decision by a Planning Inspector dated 25 July 2017 for an intensive livestock unit for poultry production at College Farm, Pinchgate, Bletchingdon in Oxford; the report stated that with appropriate management practices it was demonstrated that predicted odours would fall below the benchmark set down by the Environment Agency and where the threshold is set at a level that is unlikely to cause nuisance, leading to adequate protection for residential receptors from broiler chicken rearing houses. In summation, at paragraph 11 of their appeal decision, the Planning Inspector stated the following:

"It is significant that the operation of the enterprise and any emissions would be tightly controlled by an Environmental Permit that has been issued by the EA. This enforces the implementation of an odour management plan to operate the poultry unit in accordance with best practice methods and the use of the best available technologies. There would be routine monitoring and reporting overseen by the EA. I am mindful that the advice at paragraph 122 of the Framework is for the planning system not to seek to control processes or emissions where these are subject to approval under pollution control regimes".

Noise

Concern has also been raised by interested parties in relation to the potential for noise pollution. The Noise Impact Assessment (NIA) submitted with the planning application considers the potential of noise from two sources, namely plant noise and transport noise, and has been conducted to determine the typical background noise levels at the nearest residential properties to the proposed poultry units. The NIA concludes that the nearest residential properties would experience, at worst, negligible levels of noise from both the extractor fans and from transport activities. The council's Environmental Protection Officer has reviewed the NIA and has raised no objection in relation to noise pollution. Conditions

are recommended in relation to the extraction fans being installed and maintained in accordance with the NIA and in respect of construction working hours; these conditions are considered sufficient to protect residential amenity from noise pollution in this case.

Light

Detailing about proposals for lighting, in particular those of an external nature, is limited, and given the rural location of the proposal, there is the potential for light pollution and for the lighting up of the night sky. In light of this a condition is recommended that should any external lighting be proposed then details of such lighting, together with its luminance levels, should be submitted for consideration. Care will need to be taken to ensure that the level of lighting is proportionate to the scale of the proposal and that any lighting scheme is not excessive for a rural landscape.

Highways

Appendix 10 of the Environmental Statement contains a Transport Statement. A number of objections have been received from members of the public in relation to the routing of traffic to the site (including HGVs and construction traffic), the condition of local roads being affected by the proposal, increased risk of accidents and potential for congestion along the local highway network. The Transport Statement states that there have been no recorded collisions between 2011 and 2015 along the track the proposed site access will be served from. In addition this document states that the busiest period for HGV movements will be days 36, 37 and 38 of the flock cycle when birds are taken to the factory; this equates to 30 two-way HGV movements on each of those days and the maximum daily HGV movement would be 34 two-way movements for one day during each 48 day cycle.

The Transport Statement also includes details of the routing for traffic to and from the site; this is from the M180-A15-B1206 (Brigg Road)-Bonby Lane for a distance of 200 metres and then via a new access and track through the field to the north of the agricultural buildings on Bonby Lane. With the exception of a 200 metre section of Bonby Lane being utilised in order to join the new vehicular access, it is noted that no part of the local highway network (consisting of the majority of Bonby Lane and Middlegate Lane) will be used to gain access and egress to the proposed development. No objection has been received from Highways in relation to the proposed access, the projected vehicular numbers or on pedestrian and highway safety grounds. Conditions are recommended relating to a scheme for preventing access to the site from Middlegate Lane and the improvement of the proposed access track; these conditions will ensure that no HGV movements take place along Bonby Lane and Middlegate Lane. Based on the information submitted within the Transport Statement, it is considered that the proposed development will not have an unacceptable impact upon the local highway network to the detriment of road safety.

Other issues

An archaeological evaluation report has been submitted with the planning application, which includes the results of trial trenching for the site. The evidence suggests that, despite the abundance of prehistoric and Roman activity in the area, the current site has a negligible archaeological potential. It is quite possible, given the environmental evidence from works to the east-northeast of the site, that the site was a wooded area on the margins of cultivated land and settlements, until cleared for agriculture from the medieval period onwards. The evaluation trenching methodology was appropriate for the nature and

scale of these works. It has indicated that the site has negligible archaeological potential. Given the nature and scale of the groundwork associated with the construction of the new access track, the Historic Environment Record (HER) does not consider that this impact would amount to a significant adverse effect and does not wish to object to the application. Conditions are recommended in respect of the submission and implementation of an archaeological mitigation strategy. The applicant has also revised the landscaping proposals for the site to ensure that none of the archaeological remains are affected by the planting scheme.

A flood risk assessment and drainage strategy has been submitted with the planning application. This document concludes that the site is located within flood zone 1 and the proposals are considered to be 'less vulnerable' in flood risk terms. The primary risk to the site is identified as surface water flooding resulting from the drainage network during an extreme rainfall event. It is proposed to dispose of drainage to soakaways and the report demonstrates that the flood risk to the site is reasonable and acceptable providing the surface water drainage is carried out in accordance with the method set out in the report. Given the scale of development proposed, the topographical nature of the land and the sensitivity of groundwater in this location, care must be taken in selecting and adopting a surface water drainage scheme for the development. Given the potential to incorporate Sustainable Urban Drainage or SuDS in a drainage scheme and accounting for the response received from LLFA Drainage it is considered prudent to recommend a condition for the submission of a comprehensive surface water drainage scheme to be agreed for the site before development commences. This condition would ensure that a suitable drainage scheme is agreed and that the proposed development does not result in an increased risk of flooding in the area.

An Extended Phase 1 Habitat Survey has been submitted with the planning application as appendix 8 to the Environmental Statement. A number of recommendations are made in the report which include regular cutting of the Miscanthus crop, pre-construction checks of the site and its surrounds and clearance of grassland outside of the bird nesting season. The proposed landscaping scheme offers opportunities for biodiversity enhancement across the site. The council's ecologist has considered the report and the landscaping proposals and broadly agrees with the proposals and recommendations. In their latest consultation response of 8 August 2017 the ecologist recommends that some of the suggested species proposed within the landscaping scheme are unnecessary and unlikely to thrive on freely drained chalk soils and recommends the inclusion of native woodland flowers. To this end the ecologist raises no objections to the proposals and recommends conditions in relation to the submission and implementation of a biodiversity management plan; these conditions would ensure the necessary biodiversity enhancement from the development (in compliance with the NPPF) and would allow for revisions to the planting scheme where it is considered necessary and appropriate.

The welfare of animals or the morality of intensive livestock units and the conditions is regulated under separate legislation and is not a material planning consideration in this case. Therefore this matter will not be formally assessed.

RECOMMENDATION Grant permission subject to the following conditions:

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

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Site Layout Plan, Elevations, Floor Plans and Sections.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall take place until a strategy for the management of surface water drainage that includes the implementation of SuDS, and their adoption and maintenance arrangements, has been submitted to and agreed in writing by the local planning authority. This strategy should be based upon the content of the submitted Flood Risk & Drainage Assessment, revision A, dated: 02 December 2016 prepared by Alan Wood & Partners.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

4.

The surface water drainage scheme shall be implemented in accordance with the agreed details, shall be completed prior to the poultry sheds being brought into first use, and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation, and future adoption and maintenance, of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan, and policies CS18 and CS19 of the North Lincolnshire Core Strategy.

5.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

6.

The fans shall be installed and maintained in accordance with the noise impact assessment dated 15 November 2016, reference M1639/R01a.

Reason

To define the terms of the permission, to ensure that the development is undertaken in accordance with the submitted details and in the interests of residential amenity in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

7.

All construction works shall be limited to the following hours:

- 7am to 7pm Monday to Friday

- 7am to 1pm on Saturdays.

No construction operations shall take place on Sundays or public/bank holidays.

HGV movements shall not be permitted outside these hours during the construction phase without prior written approval from the local planning authority.

Installation of equipment on site shall not be permitted outside these hours without prior written approval from the local planning authority.

Reason

To define the terms of the permission, to ensure that the development is undertaken in accordance with the submitted details and in the interests of residential amenity in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

8.

No development shall take place until details showing:

- (i) the method of preventing any vehicular access to the site via the existing agricultural buildings from Middlegate Lane;
- (ii) the method of improving the proposed access track, including the provision of passing places and improved access to the C118;
- (iii) adequate vehicle parking, turning and servicing facilities within the site;

have been submitted to and agreed in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

9.

The agricultural poultry sheds hereby approved shall not be brought into use until all works approved under condition 8 of this planning permission have been completed in their entirety and once completed shall thereafter be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

10.

Notwithstanding the details shown on drawings IPA20896-11B Sheets 1 of 2 and 2 of 2, no development shall take place until a biodiversity management plan and landscaping plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (a) revised prescriptions for the planting and aftercare of native trees, shrubs, hedgerows and wildflowers of high biodiversity value;
- (b) proposed timings for the above works in relation to the completion of the buildings.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

11.

The biodiversity management plan and landscape plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the completion of the approved development, the applicant, or their successor in title, shall submit a report to the local planning authority providing evidence of compliance with the biodiversity management plan.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy.

12.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by the North Lincolnshire Historic Environment Record, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation in situ of the archaeological features of identified importance along the northern boundary of the main development area
- (ii) measures to ensure the preservation by record of archaeological features of identified importance along the length of the new access track to the north of Bonby Lane
- (iii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iv) post-fieldwork methodologies for assessment and analyses
- (v) report content and arrangements for dissemination, and publication proposals

- (vi) archive preparation and deposition with recognised repositories
- (vii) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy
- (viii) monitoring arrangements, including the notification in writing to the North Lincolnshire Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (ix) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with paragraph 141 of the National Planning Policy Framework and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains exist along the northern boundary of the development site and because archaeological remains may be destroyed during construction of the new section of the access track.

13.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with paragraph 141 of the National Planning Policy Framework and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains exist along the northern boundary of the development site and because archaeological remains may be destroyed during construction of the new section of the access track.

14.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with paragraph 141 of the National Planning Policy Framework and policy HE9 of the North Lincolnshire Local Plan because archaeologically significant remains exist along the northern boundary of the development site and because archaeological remains may be destroyed during construction of the new section of the access track.

Informative 1

Planning permission is hereby granted after full consideration of the Environmental Statement (ES) submitted as part of the planning application in accordance with the Town & Country Planning (Environmental Impact Assessment) Regulations 2017.

Informative 2

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 3

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

PA/2017/564 – Site Location



© Crown copyright and database rights 2017 Ordnance Survey 0100023560