

APPLICATION NO	PA/2012/0159
APPLICANT	Wilson Farms
DEVELOPMENT	Outline planning permission to erect a 500 cow dairy unit to include the erection of four cattle buildings, a dairy/parlour building, welfare/office building, two detached dwellings, a concrete yard for silage storage and straw storage, slurry/dirty water store, with landscaping reserved for subsequent approval
LOCATION	Land near to Hall Farm, Middlegate Lane, Bonby
PARISH	BONBY
WARD	Brigg and Wolds
CASE OFFICER	Andrew Law
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Member 'call in' (Councillor Waltham – significant public interest, impact on highways, visual amenity and previous planning history on site) Objection by Saxby Parish Council

POLICIES

National Planning Policy Framework: Paragraph 19 states that significant weight should be placed on the need to support economic growth through the planning system.

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:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- 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 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 120 states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution should be taken into account.

Paragraph 129 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets, conservation and any aspect of the proposal.

Paragraph 135 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Regional Spatial Strategy for Yorkshire and the Humber: Policy E7 (Rural Economy) states that plans, strategies, investment decisions and programmes should help diversify and strengthen the rural economy by facilitating the development of rural industries, businesses and enterprises in a way that:

- promotes complementary roles for principal towns and local service centres;
- allows for essential development for agriculture and forestry purposes in the countryside;
- encourages the use of information technology and telecommunications;
- supports rural diversification schemes which bring economic, social and environmental benefit;
- gives priority to the re-use of existing buildings;
- supports and protects an attractive and high quality rural environment;
- ensures appropriate scales and types of development and levels of traffic generation.

North Lincolnshire Local Plan: Policy RD2 (Development in the Open Countryside)

Policy RD7 (Agriculture, Forestry and Farm Diversification)

RD14 (Agricultural and Forestry Buildings)

RD15 (Development of Intensive Livestock Units)

RD16 (Cumulative Effects of Intensive Livestock Units)

Policy DS1 (General Requirements)

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

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

North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS11 (Provision and Distribution of Employment Land)

CS16 (North Lincolnshire's Landscape, Greenspace and Waterscape)

CS18 (Sustainable Resource Use & Climate Change)

CS25 (Promoting Sustainable Transport)

CONSULTATIONS

Highways: Are of the opinion that the proposals will not have a significant effect on the local highway network. Therefore raise no objection subject to conditions 6, 7, 8, 9 and 10.

Historic Environment Record: The proposal will adversely affect non-designated heritage assets of archaeological significance present within the application area. The applicant has carried out an archaeological assessment and field evaluation of these remains in accordance with paragraph 128 of the NPPF, and submitted satisfactory reports of this work. The loss of archaeological remains to the development requires mitigation in the form of a programme of archaeological recording in advance of and during construction. Detailed advice is given regarding the requirements of this mitigation strategy. This mitigation strategy should be submitted and agreed prior to the determination of the application. However conditions have been recommended, should permission be granted prior to the mitigation strategy being submitted.

Environmental Protection: Raise no objections but recommend conditions to prevent nuisance being caused to nearby dwellings as a result of odour from the proposed slurry lagoon and disposal of slurry.

Public Rights of Way: No objection as the proposed access to the site will not interfere with the Viking Way Public Bridleway.

Ecology: Raise concerns that widespread slurry spreading in this area would be expected to lead to significant reductions in water quality at local springs, with a resulting significant loss to county biodiversity and recommend refusal of the application on these grounds.

Environment Agency: The proposed development is acceptable subject to conditions relating to surface water drainage. The proposed development will have to comply with various environmental regulations that are separate to planning.

Campaign to Protect Rural England: Object to the proposed development due to its location and potential impact upon the existing countryside, landscape and highway network. The benefits of the proposed development would be at the overwhelming expense of the beauty, character and tranquillity of rural England. Furthermore, as most of the buildings will be modern frame buildings, these would be better suited to an industrial/brownfield site. Although the proposal is agricultural, the application is of such a size and scale that it could be deemed industrial in nature and it will have a significant impact on the surrounding countryside.

English Heritage: Do not wish to comment on the application.

PARISH COUNCILS

Worlaby Parish Council: Do not object in principle, but have concerns regarding the access road. The parish council would not like to see HGVs travelling along the B1204 through Bonby and Worlaby to access and leave the site and would request that the road named Church Lane is improved and new passing places installed which will allow access directly to the A15 via the B1206. Furthermore, a traffic management plan should be put in place.

Bonby Parish Council: Have raised concerns on the following grounds:

- The scale of the proposed buildings footprint and believed proximity to a number of natural springs may give rise to issues with surface water being diverted from its current paths and lead to flooding.
- The application seems to rely on a level of public transport for the employees that does not exist.
- There is concern over the animal effluent created and how it will be disposed of.
- Believe that it is highly likely that traffic to and from the site will gravitate towards using Middlegate Lane, a C class single track country road. There are longstanding and ongoing serious concerns as regards to the adequacy of this road for its current traffic usage, let alone any increase as a result of the proposed development.

Saxby Parish Council: Object to the proposed development on the following grounds:

- Access to the proposed development by the B1204 into Bonby village and then via Church Lane and onto Middlegate Lane is unacceptable. Middlegate Lane and all other roads in the vicinity are narrow, single track roads and will be unable to cope with the

anticipated level of HGVs. The parish council believes that severe congestion, disruption and danger to road users will occur, together with environmental damage to verges etc.

- The large slurry pits are likely to cause obnoxious smells over the Low Villages and particularly towards Saxby.
- There are serious concerns regarding the possibility of nitrates and effluent to contaminate the local water table and local springs and water courses.
- The parish council believe that the construction of the dairy, and in particular the digging out of the underground slurry pits, will cause substantial and unacceptable damage to the ancient archaeological sites in the area.
- The parish council believe that intensive dairy farming on the scale envisaged is not in keeping with the traditional and very acceptable 'cows grazing in a rural North Lincolnshire setting'. The sheer scale of the development is detrimental to the Wolds environment and brings with it serious concerns for animal welfare.

PUBLICITY

There are no adjacent properties to be notified, however a site notice and press notice have been posted.

Letters of objection have been received raising the following concerns:

- Church Lane is a residential street in part and as such is not suitable as a planned primary route for vehicles to a site operating 18 hours per day or at weekends.
- Church Lane narrows to a 'pinch point' between the junction with the B1204 and the access gate to 'Tinkers Corner'. At this point there is insufficient room for a car and an HGV to pass. Currently vehicles turning from the B1204 have sufficient room in the junction of Church Lane; however a tractor/trailer combination may back onto/block the B1204 while waiting for oncoming traffic from Church Lane to pass.
- Although Church Lane is used for agricultural purposes during part of the year, it is very steep in part and during the winter it is prone to black ice and becoming blocked by snow.
- Middlegate Lane is used extensively by walkers, horse riders and cyclists. Due to the width of the lane and to avoid damage to the verges, the proposed site traffic would require right of way over all traffic, which seems inappropriate.
- This is yet another attempt to industrialise the North Lincolnshire Wolds, a unit of this type could in fact be situated on any brownfield site. It still requires transport of food and straw in, and milk and waste out.
- The proposal states that the site will operate 18 hours per day, however no information is given regarding possible noise and light pollution; this is a concern during the hours of darkness and at weekends.
- Odour from the open slurry pits will permeate the area.

- There will be increased noise in the area as a result of increased numbers of vehicles travelling through the villages, 18 hour operation and the distress of cattle when their calves are removed.
- The proposed development will lead to nitrates leaching into the ground in an already high nitrate area.
- The proposed intensive dairy unit, as a result of the discharge of nitrates, could potentially compromise the abstraction at Barrow Vale, and threaten this important water source.
- No reference is made in the hydro-geological assessment to the strongly developed periglacial features of the site; the assessment is flawed in that it has not considered these features.
- There is no information in the hydro-geological assessment regarding drainage and water into Bonby village itself. Several springs rise on the ridge above Bonby and run through the village.
- The residential accommodation described as 'workers cottages' appear rather palatial to be described as cottages.
- There are safety concerns relating to staff working at the site, and consumers of milk as there is the possibility of radon contamination of the site.
- There is no information regarding the removal of waste from the site.
- Some of the statements within the transport assessment are inaccurate, such as the fact that there is adequate public transport to support workers.

One letter of support has been received on the grounds that if people want cheap milk then this is the only way forward, or we face the total death of dairy in the country.

ASSESSMENT

The application site forms part of an existing, large, agricultural holding totalling 615 acres (248 hectares) to the north-east of Bonby and to the east of Saxby. At present all of this land is currently being used for the growth of elephant grass as a fuel crop. This agricultural holding is separated into six separate parcels of land and this application site sits centrally within the largest parcel of land, which is also the parcel that is furthest from the nearby settlements of Bonby and Saxby-All-Saints. The parcel of land is currently occupied by three portal-framed, agricultural storage buildings. Two of these buildings are located adjacent one another on the western edge of the parcel of land, where the existing, unmade access track running through the land meets Middlegate Lane. These buildings are relatively large agricultural buildings of approximately 40 metres in length by 20 metres in width and have a large area of hard-standing to their front. The other building is located centrally within the parcel of land adjacent to the access road running the length of the land from west to east. This building is also a portal-framed agricultural building, measuring 10.5 metres by 18 metre, however it is open sided whereas the other two buildings are fully enclosed.

The site is located in the open countryside to the east of the village of Saxby-All-Saints and to the north-east of the village of Bonby. The area is agricultural in character and the application site is surrounded by agricultural land, including that owned and operated by the applicant. The site is located at the top of and close to the Wold Villages Scarp Slope. However the site is not located within any other landscape designation, nor are there any special sites of nature conservation or scientific interest within the site area. The site is located within a dry valley, set within the dip slope at the northern end of the Lincolnshire Wolds. This dry valley encloses the development site, resulting in the site being set slightly lower in elevation than the level of surrounding fields, which slope down into the valley on the northern, southern and western sides.

The application site and the wider agricultural holding are relatively open in nature, and aside from the existing crop of elephant grass there is very little other vegetation, although there are examples of hawthorn hedges as field boundaries in the wider area. There are no nearby residential properties with the villages of Saxby and Bonby being approximately 1.5 miles from the site. However there is an agricultural holding to the north-west of the site comprising two large agricultural storage buildings and to the south-west, on Bonby Lane, is an industrial unit owned by Bio Waste Solutions – this is a bio waste digester plant that composts organic waste for use as fertiliser. The site is accessed via an existing stoned track running down from Middlegate Lane.

This application seeks outline planning permission to erect a 500 cow intensive dairy unit, including four cattle buildings, a dairy/parlour building, a welfare/office building, two detached farm workers' dwellings, concrete yard areas for the storage of silage and straw and a slurry/dirty water store, with landscaping reserved for subsequent approval. The four cattle buildings are all identical, measuring 37.5 metres by 50 metres, with an eaves height of 6 metres and a ridge height of 10.25 metres. These buildings will consist of a steel portal-framed structure that is open to either side and mostly open at the gables to allow ventilation. The dairy/parlour building will measure 30 metres by 50 metres and will also be of a portal-framed design with part brick walls and part concrete panel walls. The proposed office/welfare building will be a 14.6 metres by 8.6 metres portal-framed building, clad in dark green box profile cladding. This building will provide shower and toilet facilities, kitchen facilities and offices for the staff. There are two proposed, four-bedroomed, detached dwellings, which will be brick built with clay pantile roofs and will provide accommodation for the farm manager and head herdsman. These dwellings will be positioned at either end of the proposed development (north and south). The proposed slurry lagoon will be a 30 metres by 30 metres earth-walled uncovered lagoon for the storage of slurry and dirty water. The larger of the two proposed concrete yard areas will be used for the storage of silage and will measure 50 metres by 85 metres; this area will have a fall to a reception channel to drain effluent into the slurry lagoon to the north-east. 3 metre tall moveable barriers will be used to divide this area for the storage of different types of silage (grass, whole crop, maize etc). A smaller yard area (15 metres by 35 metres) will be used for the storage of straw externally. Should planning permission be granted for the dairy unit the surrounding land that forms part of the wider agricultural holding will be laid down either to grass or used for the growing of silage for use by the dairy enterprise. The proposed dairy unit is anticipated to provide 10 new jobs.

The application site has been the subject of various planning applications in the recent past. In 2000 (PA/2000/0970) a planning application was submitted for the siting of a residential caravan, this application was later withdrawn. In 2001 (PA/2001/0100) planning permission was granted for a general-purpose agricultural building. Further permission was granted in 2001 (PA/2001/0529) for another general-purpose agricultural building. In 2007

(PA/2007/0967) an application was submitted for outline planning permission for the erection of a dwelling; this application was refused. More recently an application was submitted in 2010 (PA/2010/1447) for the same development as is proposed in the current application; this application was withdrawn as a result of insufficient information being submitted to allow the local planning authority to adequately assess the merits of the proposal.

The key issues in the determination of this application are:

- whether the proposal would have a harmful impact upon the local highway network to the detriment of road safety;
- whether the proposed development would have an unacceptable visual impact that would be harmful to the character and appearance of the area;
- whether the proposal would result in contamination of local water sources;
- whether the proposed development would have an unacceptable impact upon the amenity of residential properties in the vicinity;
- whether the proposed development would have an unacceptable impact upon archaeological heritage assets;
- whether the proposed development would lead to issues with surface water drainage that may result in flooding to nearby settlements; and
- whether there is adequate justification for the erection of two dwellings in the open countryside to support the proposed development.

Highways

The vast majority of objections received from local residents and parish councils raise the issue of highway safety and the suitability of the existing highway network in the area surrounding the site to accommodate the anticipated level of traffic that would be generated by the proposed development. The applicant submitted a transport assessment with the application when it was submitted in February. The council's highways department made comments on this assessment and requested clarification on generated traffic numbers and the reasons behind choices for operational traffic routing. Following these comments, an amended transport assessment was submitted. This assessment estimated that traffic generated by the proposed dairy operations would remain fairly constant throughout the year and would result in an average of 18 two-way movements per day in total. The highest number of vehicle movements will be during the harvest of whole crop silage from the applicant's land to the west of Bonby, peaking in July with a combined total of approximately 21 two-way movements per day. The council's Highways officers are satisfied with the amended transport assessment and its estimates on traffic movements. Furthermore, they have confirmed that it is unlikely that such a volume of extra traffic would have a significant impact upon the highway network in the vicinity of the development.

The original transport assessment submitted with the application gave the impression that the primary transport route was to be the B1204 via Church Lane through Bonby. However, the amended transport assessment clarifies this point by stating that this traffic would be transporting harvested feed crops by tractor and trailer from fields to the west of the B1204

at Bonby as this is the most direct route and is currently used by similar, agricultural vehicles. This transport of crops would mainly take place in July and account for 10 two-way trips per day during a 60-day period in September and October. Other harvested crops will be transported via Middlegate Lane, accounting for an additional six to eight two-way movements per day. Whilst Church Lane passes through the village, there are only three junctions and traffic speeds will be low. Highways officers have confirmed that, based on this information and the fact that tractor trailer units already use Church Lane through Bonby, the additional traffic would have a negligible and temporary effect on the highway network.

External deliveries to the site will consist of the delivery of straw, concentrated feed and the intake of new cows. In addition to this there will be vehicle movements associated with removing milk and calves from the site. Deliveries of straw will generate 4-6 two-way movements per day during an 8-week period in July and August. Deliveries of concentrated feed will equate to 120 two-way trips per year, and as such 2-4 two-way trips per week. Approximately 125 cows will be bought/sold per year and this will result in 2 two-way movements per month. Milk will be collected by a single tanker on a daily basis and the removal of calves from the site will generate an additional 15 vehicle movements per year. It should be noted that all of these external deliveries/collections will be made via the A15 to the east of the site and it is proposed that the most appropriate local access point to the A15 is at the junction of Church Lane and the B1206, Brigg Road. This access point is approximately 2.7 kilometres from the site access and the route from the application site to the A15 does not pass through any residential areas. Furthermore, the proposed dairy unit will employ 10 members of staff, 2 of which will be living on site. There will be 3 shifts per day with 3 members of staff per shift and therefore, there will be no significant level of vehicle movements generated to and from the site as a result of employees.

It has been stated in objections that Middlegate Lane and Bonby Lane are unsuitable for agricultural traffic. Whilst it is acknowledged that these roads are not wide enough for two such vehicles to pass without using the verges, they provide the only access to this predominantly agricultural area and existing traffic flows are low. As additional traffic from the development would also be low, particularly between November and June, it is unlikely that significant conflict, delays or damage would result. Therefore the proposed development will not have an unacceptable impact upon the local highway network to the detriment of road safety.

It is acknowledged that there is an insufficient frequency of public transport in the area to cater for employees of the development. This has been noted by the council's Highway officers, however this does not have a significant bearing on the determination of the application and as such Highways have not objected to the application on these grounds.

Visual impact

The application site is part of an existing agricultural holding, and there are existing portal-framed agricultural buildings close to the site which form part of this holding. The land immediately surrounding the application site is part of the wider agricultural holding and is currently being used to grow elephant grass, which is a fuel crop that can grow up to 4 metres high. 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, including Grange Farm to the north-west. The proposed development does constitute a significant intensification of the existing agricultural holding, particularly with regard to the number of buildings on site. However, these buildings will predominantly be

agricultural in nature and design and hence not out of character in what is an agricultural area. The cattle buildings, which will be the largest structures on the site, will be largely open to the sides with corrugated sheet roofs and will have a ridge height of 10.25 metres, which is not excessive for agricultural buildings. Furthermore, the proposed buildings are to be concentrated together which will help to minimise their visual impact and make screening easier.

The physical, topographical features of the application site and surrounding land help to limit the visual impact of the proposed development and indeed screen the application site from view to some extent. In addition to this the application site is in an isolated position and is set back a long way from public highways in the area. There will be approximately 1.4 kilometres between the dairy unit and Middlegate Lane to the south-west and approximately 1.2 kilometres between the unit and the B1218 highway to the east. The applicant has submitted a visual impact assessment with the planning application. This assessment notes that, as a result of its location within a dry valley set into the dip slope of the Wolds and its isolated nature, there are very limited views of the application site. The site is slightly lower in elevation than the surrounding fields to the north, south and west and is located some distance from the top of the Wolds escarpment that slopes down to the nearby villages of Bonby and Saxby. Therefore the proposed development will not be viewable from these settlements and will not be highly visible within the landscape. It is noted that the Viking Way runs within approximately 1 kilometre of the site, however the existing landform and a dense hawthorn hedge running along the eastern edge of the applicant's agricultural holding will adequately screen potential views of the development from this footpath. Additionally, there is further potential for reducing the visibility of the development through landscape mitigation measures and a condition has been recommended that would require a comprehensive landscape mitigation scheme to be agreed with the local planning authority before any development commences. As such the proposed development will not have an unacceptable impact upon the character and appearance of the area.

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 one of the existing 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 reinstate previous areas of hedging along field boundaries and infill gaps in existing hedging as part of a landscape mitigation scheme. This scheme will be agreed and secured by condition and has the potential to benefit the character and appearance of the area through this reinstatement/revitalisation of traditional hedgelines.

Contamination

Several objections have been received that relate to the potential of the proposed development to result in the contamination of groundwater sources in the area as a result of nitrates being released into the soil. The Environment Agency (EA) has been involved in detailed discussions with the applicant with regard to this issue. The EA has been consulted on the planning application and has confirmed that the geology underlying the proposed site is Lincolnshire Chalk Principle Aquifer. Water is abstracted from this aquifer for Public Water Supply and the development site is located on the edge of a Source Protection Zone

3 relating to these abstractions. As a result of discussions with the EA, the applicant has submitted a detailed hydrogeological risk assessment in support of the planning application. This assessment has used a variety of sources including borehole logs, rainfall data, groundwater level data and nitrate data. This data has been used to formulate a detailed hydrogeological conceptual model that has formed the basis for a numerical impact assessment. The EA has assessed this model and has confirmed that the outputs from the scenarios have been used appropriately and that they are satisfied with the conclusions of the assessment and its recommendations for risk mitigation construction.

Furthermore, the EA has recommended conditions that require a surface water drainage scheme to be agreed for the site and a leak detection system to be incorporated into the design of the slurry lagoon. These conditions will further reduce the risk of pollution to the underlying aquifer and protect water quality in the area. In addition to these conditions the applicant will be required to comply with various regulations and legislation separate to planning that are designed to protect against groundwater pollution. This includes The Water Resources (Silage, Slurry, and Agricultural Fuel Oil) Regulations 2010, the Nitrate Pollution Prevention Regulations 2008 and the Code of Good Agricultural Practice. Consequently, the proposed development will not result in the pollution of groundwater sources in the area as the recommended conditions, along with relevant (non-planning) legislation, will prevent this.

The council's Environment Team has recommended the refusal of the application due to concerns over the impact of the spreading of slurry on water quality in local springs and consequently upon biodiversity in the area. As stated previously, the EA has been consulted on the application and has been involved in extensive pre-application discussions with the applicant. The EA, as the statutory body responsible for the protection of water assets, has raised no concerns or objections with regard to the impact of slurry spreading on the water quality of local springs in the area. With regard to the concerns raised in relation to biodiversity in the area, a condition has been recommended requiring the applicant to submit and agree a biodiversity management plan with the local planning authority. This condition will adequately address the concerns raised by the Environment Team and will ensure that the proposed development will not result in harm to biodiversity in the area, but will instead provide biodiversity benefits.

One objector refers to the potential for the workers on the site, and consumers of the milk produced, to be vulnerable to contamination as a result of high levels of radon in the area. Neither the council's Environmental Protection department, nor the Environment Agency have raised concerns regarding this issue. Furthermore, the surrounding area is predominantly agricultural in nature with the vast majority of land being used for the growth of arable crops. There is no historical evidence of any issues being experienced as a result of increased radon levels in the area.

Drainage

As stated previously, the Environment Agency has been consulted on the application and has raised no objections on grounds of drainage or flood risk. However it has confirmed that, as a result of the sensitivity of groundwater in this location, care must be taken in selecting a drainage scheme for the development. It goes on to outline certain specific aspects that must be considered in such a drainage scheme. Consequently, a condition has been recommended by the EA requiring a comprehensive surface water drainage scheme to be agreed for the site before development commences. This condition will 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.

Amenity

The council's Environmental Protection team have been consulted with regard to the potential impact of the proposed development on the amenity of residential properties in the local area. They have noted that the proposed open slurry lagoon will be approximately 1.6 kilometres from the nearest dwelling, in Bonby. Whilst this is a substantial distance, Environmental Protection officers have confirmed that they have previously investigated complaints relating to slurry lagoon odours where there have been similar distances and receptors. Consequently, a condition has been recommended that requires a cover to be installed on the slurry lagoon prior to it being brought into use. Details of this cover will have to be agreed in writing prior to its installation. Additionally, further conditions have been recommended that require the applicant to agree an odour management plan and a scheme for the disposal of manure with the local planning authority before works commence. These conditions will further minimise any impact as a result of odour and will prevent the proposed development from having a significant impact upon the amenity of residential properties as a result of smell.

In addition to smell, further concerns were raised by objectors with regard to impact from the development as a result of noise and light pollution, particularly with regard to the fact that the dairy unit is proposed to operate for 18 hours per day. It is considered that the significant distance between the application site and the existing topography and screening will be sufficient to ensure that loss of amenity does not result due to noise or light pollution. However, a condition has been recommended that requires the applicant to submit and agree details of external lighting with the local planning authority before development commences. This condition will allow any lighting scheme required for the operation of the dairy unit to be fully assessed and controlled in order to ensure that it does not result in any loss of residential or visual amenity in the area. The council's Environmental Protection team have raised no objections to the proposal on grounds of nuisance from noise or light associated with the proposed development.

It has been suggested that traffic generated by the proposed dairy farm travelling through the village of Bonby could result in a loss of amenity for residents as a result of noise and disturbance, particularly outside of normal working hours. As has been discussed above, the proposed development will result in some traffic travelling through Bonby, transporting silage crops from the applicant's land to the west of the settlement to the dairy farm. However this traffic will be very seasonal as the transport of crops from the land will only be during harvest time. This will equate to approximately 10 two-way movements per day, by tractor and trailer, during a 3-week period in July. For the majority of the year there will be no significant vehicle movements through the settlement of Bonby as a result of the proposed development. It should also be noted that the applicant's land to the west of Bonby is arable land, currently used for the growth of elephant grass, and at any time could be used for the growth of silage. Therefore the level and nature of traffic passing through Bonby as a result of the proposed development would not be unreasonable or uncharacteristic. Indeed Bonby is located in a predominantly agricultural area and the existing highway network is used by agricultural vehicles, serving existing farmsteads at present. By virtue of the minor amount of traffic that will have to pass through the village as a result of the proposed works, coupled with the very limited timeframe during which these movements will take place throughout the year, there will be no significant impact upon the amenity of local residents of Bonby as a result of the proposed development.

Archaeology

The council's Historic Environment Record has been consulted with regard to the potential impact of the development on buried heritage assets. The HER has confirmed that the site lies within an area of archaeological interest and contains a non-designated heritage asset of archaeological significance. Aerial photographs have revealed the cropmark of an extensive double-ditched trackway or linear earthwork stretching for over a kilometre across the Wolds top that can be seen to run through the application area. Accordingly, following consultation with the HER, the applicant has carried out an archaeological desk-based assessment and a field evaluation comprising a geophysical survey and the excavation of trial trenches. The HER is satisfied that there is adequate information in these reports to advise the local planning authority. The assessment considers the buried remains to be of, at least, regional importance to this landscape and the HER concurs with this. However, apart from the ditches, very few archaeological remains were found on the site.

The impact of the proposed development works, which involve extensive groundwork to create a level site for the dairy buildings and to excavate below-ground slurry tanks, will result in the destruction of the ditches and any associated archaeological remains where they pass through the development area. However this represents only a partial loss of the recorded length of these double ditches running along the Wolds. The archaeological features are of regional significance, however the loss is only partial and therefore the HER are of the opinion that the harm to the heritage asset is not substantial enough to warrant an objection to the proposal. Furthermore, the development may benefit the conservation of other archaeological assets through the conversion of intensive arable cultivation to permanent grassland for grazing, resulting in the cessation of plough damage to buried archaeological remains.

Whilst they do not object to the proposed development, the HER have recommended that an appropriate strategy to mitigate the loss of archaeological remains within the development area will need to be agreed with the local planning authority before development commences. They go on to elaborate on the sort of mitigation strategy that would be considered acceptable. The HER have confirmed that the mitigation strategy should be set out in a written scheme of investigation; and that where the local planning authority considers that the loss of heritage assets to the development is considered justified and that the proposed mitigation strategy is appropriate, the written scheme of investigation may be secured by condition to any permission that may be granted.

Based upon the HER's advice set out above it is considered that the partial loss of the identified heritage asset is justified, that this harm will be outweighed by the economic benefits that the proposed development will bring to the area, and that suitable mitigation can be assured by condition. Therefore the proposed development will not result in an unacceptable impact upon archaeological heritage assets in the area.

Residential justification

The applicant has submitted a comprehensive justification of the need for permanent residential accommodation on the site to enable efficient operation of the dairy unit. The cows housed within the unit will calve all year round to maintain a relatively constant milk output throughout the year. Given the number of cows on the unit (500) it has been estimated that there will be between 9 and 10 cows calving per week. Of these it is estimated that two-thirds will calve outside of normal working hours and therefore it is estimated that there will be 6 to 7 calvings every week outside of normal working hours.

The need for close supervision and assistance at calving is a significant contributing factor in terms of the functional need for a permanent presence on site. In addition to calving this supporting statement identifies other tasks that are required to be carried out daily by skilled members of staff in order to ensure the health and welfare of the cattle. The applicant estimates that at an average value of £1,500 per cow the capital investment in the herd will total £750,000. This is a very significant investment and skilled members of staff are required on hand 24 hours per day in order to ensure the health and wellbeing of the cattle, as any loss of livestock resulting from the absence of skilled workers would jeopardise the viability of the proposed business.

There will be a full-time farm manager and herdsman, who it is proposed will live on the site in the two farm workers' dwellings which form part of the planning application. The other members of staff will predominantly be less skilled and will undertake milking, feeding and mucking out duties. The applicant has stated that the farm manager and the herdsman will be responsible for the entire out of hours work associated with the large dairy enterprise. The supporting statement goes on to state that it is generally acknowledged that there is a need for two farm workers to be readily available at short notice (ie living on site) on dairy units with 200 cows and that as such there is no doubt that there is the need for at least two farm workers' dwellings on site in order to properly manage the functional requirements generated by a 500 cow dairy enterprise. In addition, this document provides examples of several appeal decisions where the need for two full-time workers on large agricultural sites such as this has been upheld.

The applicant has calculated the labour requirements of the holding using two standard methods: standard man days and standard labour requirement based on hours per annum. Using these methods the applicant has suggested that there will be an on-farm labour requirement of about 10 full-time staff. Whilst these methods are by no means an accurate measure, as the figures will differ from holding to holding, it is the only available tool for estimating the required labour and is useful in displaying the scale of the enterprise. Due to the size and scale of the proposed business, and after considering the justification put forward by the applicant, it is acknowledged that two workers' dwellings on the site are acceptable. However a condition has been recommended requiring the proposed agricultural buildings to be erected before development begins on the dwellings. This is to ensure that the business does indeed become established and to prevent the erection of two dwellings in the open countryside, where they would not normally be permitted, without the business that they are proposed to support. It is considered that, due to the scale of the proposal and the amount of investment that would be required to construct the agricultural elements, it would be unnecessary and unreasonable to insist upon temporary dwellings as is normally the case. This temporary period is usually imposed in order to ascertain the viability of a proposed enterprise. An investment of the scale proposed in the current application would not be undertaken unless it was planned on a sound financial basis. In addition, a condition has been recommended to restrict the occupancy of the dwellings to people currently, or last employed, at the proposed dairy unit or people who are currently, or were last employed, in agriculture. This condition will prevent either of the houses being sold off separately as market housing, where such housing would not normally be allowed.

RECOMMENDATION Grant permission subject to the following conditions:

1.

Approval of the details of the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application has been made under Article 3(1) of the Town & Country Planning (General Development Procedure) Order 1995.

2.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4.

The development hereby permitted shall be carried out in accordance with the following approved plans: Wil/458/1426/01, Wil/458/1426/02, Wil/458/1426/03, Wil/458/1426/04, Wil/458/1426/05 Wil/458/1426/06, Wil/458/1426/07, 648.1 and 648.3A.

Reason

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

5.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

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

6.

No dwelling on the site shall be occupied until the vehicular access to it and the vehicle parking and turning space serving it have been completed and, once provided, the vehicle parking and manoeuvring space shall be retained.

Reason

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

7.

The proposed new vehicle parking and turning facility shall not be brought into use until the vehicular access serving it has been completed within highway limits.

Reason

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

8.

Works shall not commence on site until wheel cleaning facilities, in accordance with details to be submitted to and approved in writing by the local planning authority, have been provided within the curtilage of the site, and this facility shall be retained for the duration of the works.

Reason

To prevent material being deposited on the highway and creating unsafe road conditions.

9.

The proposed new unit shall not be brought into use until the vehicle access to it and the vehicle parking, turning and servicing areas serving it have been completed in accordance with the approved details. Once complete the vehicle parking, turning and servicing areas shall be retained.

Reason

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

10.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by North Lincolnshire's 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, or the preservation by record, of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) 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
- (vii) monitoring arrangements, including the notification in writing to North Lincolnshire's Historic Environment Record of the commencement of archaeological works and the opportunity to monitor such works
- (viii) 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 policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

11.

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 policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

12.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at North Lincolnshire's 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 policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

13.

A cover shall be installed on the slurry lagoon prior to it being brought into use. The details of this cover shall be submitted to and approved in writing by the local planning authority prior to its installation and shall thereafter be so retained.

Reason

To prevent the unacceptable loss of amenity to local residents through odour in accordance with policy DS1 of the North Lincolnshire Local Plan.

14.

Prior to the commencement of operations on the site an odour management plan shall be submitted to and approved in writing by the local planning authority. The management plan shall be implemented immediately as approved. This management plan shall include, but not be limited to, the following:

- cleaning operations in livestock areas of the site, including cleaning methods, areas to be cleaned and frequency of cleaning;
- details of ventilation systems for livestock areas, including ventilation rates, emission points (number, location and height) and filtration details;
- frequency of slurry lagoon agitation/stirring and odour mitigation measures to be implemented during this activity; and
- details of any proposed slurry treatment to be undertaken on site, eg screening, separation and composting etc.

Reason

To prevent the unacceptable loss of amenity to local residents through odour in accordance with policy DS1 of the North Lincolnshire Local Plan.

15.

Prior to the commencement of operations on site, a scheme for the disposal of slurry shall be submitted to and approved in writing by the local planning authority. The scheme shall include, but not be limited to, the following:

- details of the location(s) where the spreading will occur;
- periods during which spreading will take place;
- methods of slurry application to land, eg band spreading, injection etc;
- volume of slurry to be applied per hectare;
- details of any pre-treatment to the slurry;
- details of any additives and/or other wastes to be mixed with the slurry prior to application; and
- methods to be applied during application to minimise odour release.

Reason

To prevent the unacceptable loss of amenity to local residents through odour in accordance with policy DS1 of the North Lincolnshire Local Plan.

16.

Development shall not begin until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason

To prevent the increased risk of flooding, to improve and protect water quality and ensure the future maintenance.

17.

A leak detection system, as recommended in section 7.5 of the submitted hydrological risk assessment, shall be incorporated into the design of the slurry lagoon.

Reason

To reduce the risk of pollution of the underlying aquifer.

18.

Before any development commences on the site of the proposed agricultural workers' dwellings, the agricultural buildings and units are to be substantially completed.

Reason

To prevent the establishment of dwellings in the open countryside without an established need in accordance with policies RD2 and RD9 of the North Lincolnshire Local Plan.

19.

The occupation of the dwellings shall be limited to a person solely or mainly employed or last employed in agriculture as defined in the Town and Country Planning Act 1990, or a widow or widower of that person, and any resident dependants.

Reason

To ensure the dwelling remains available to meet the needs of the agricultural business, as permission is granted only in the light of the special justification for the accommodation, in accordance with policy H1 of the North Lincolnshire Local Plan.

20.

Notwithstanding the provisions of Classes A to E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking and re-enacting that order with or without modification, no buildings, structures or extensions shall be erected on the site other than those expressly authorised by this permission.

Reason

To protect the amenity of the open countryside in accordance with policies DS1 and RD2 of the North Lincolnshire Local Plan.

21.

Upon final occupation of the proposed new buildings, it shall be demonstrated to the satisfaction of the local planning authority that 20% of regulated energy demand will be provided by on-site renewable energy generation/low and zero carbon technology.

Reason

To comply with policy CS18 of the North Lincolnshire Core Strategy.

22.

No development shall take place until details of the external lighting of the site have been submitted to and agreed in writing by the local planning authority and only this agreed lighting shall be installed at any time, unless otherwise agreed in writing by the local planning authority.

Reason

In the interest of protecting the amenity of neighbouring properties and the visual amenity of the area in accordance with policies DS1 of the North Lincolnshire Local Plan and CS5 of the North Lincolnshire Core Strategy.

23.

No development shall take place until a biodiversity management plan has been submitted to and agreed in writing by the local planning authority. The management plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise agreed in writing by the local planning authority.

Reason

To protect and enhance features of nature conservation importance in accordance with policies LC4 of the North Lincolnshire Local Plan and CS17 of the North Lincolnshire Core Strategy.

24.

No development shall take place until proposals for landscaping have been submitted to and approved by the local planning authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

25.

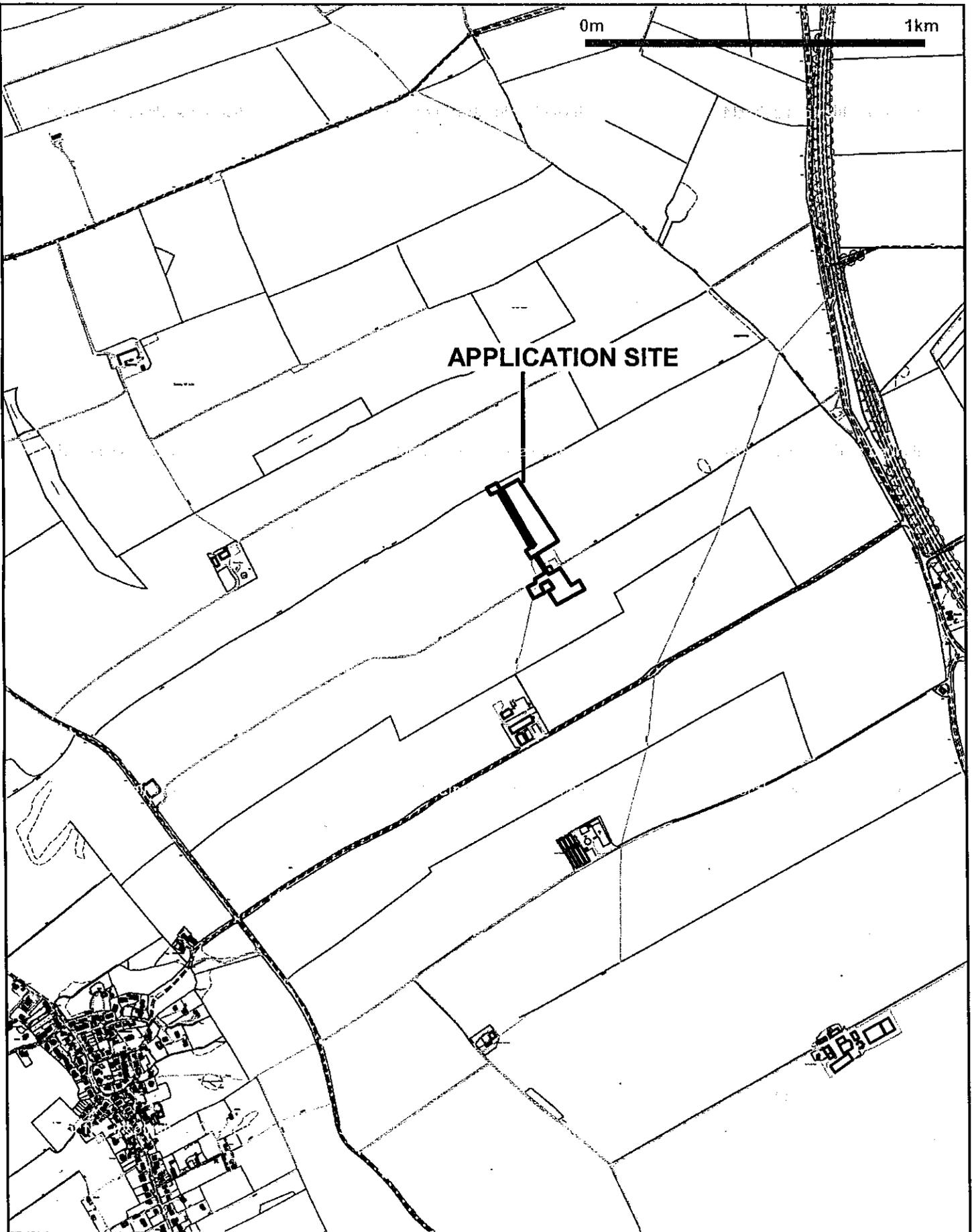
All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

Reasons for approval

The council, as local planning authority, has had regard to the relevant policies of the development plan as set out below and considers that, subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan, would not materially harm the character of the area nor the living conditions of neighbouring occupiers, and would be acceptable in all other planning considerations. The council has taken into account all other matters, none of which outweigh the considerations that have led to its decision. The policies taken into consideration in the determination of this application are DS1, RD2, RD7, RD14, RD15 and RD16 of the North Lincolnshire Local Plan and policies CS1, CS2, CS3, CS5, CS11, CS16, CS18 and CS25 of the North Lincolnshire Core Strategy.



Title: PA/2012/0159

Drawn by: Sue Barden

Date: 26/09/2012

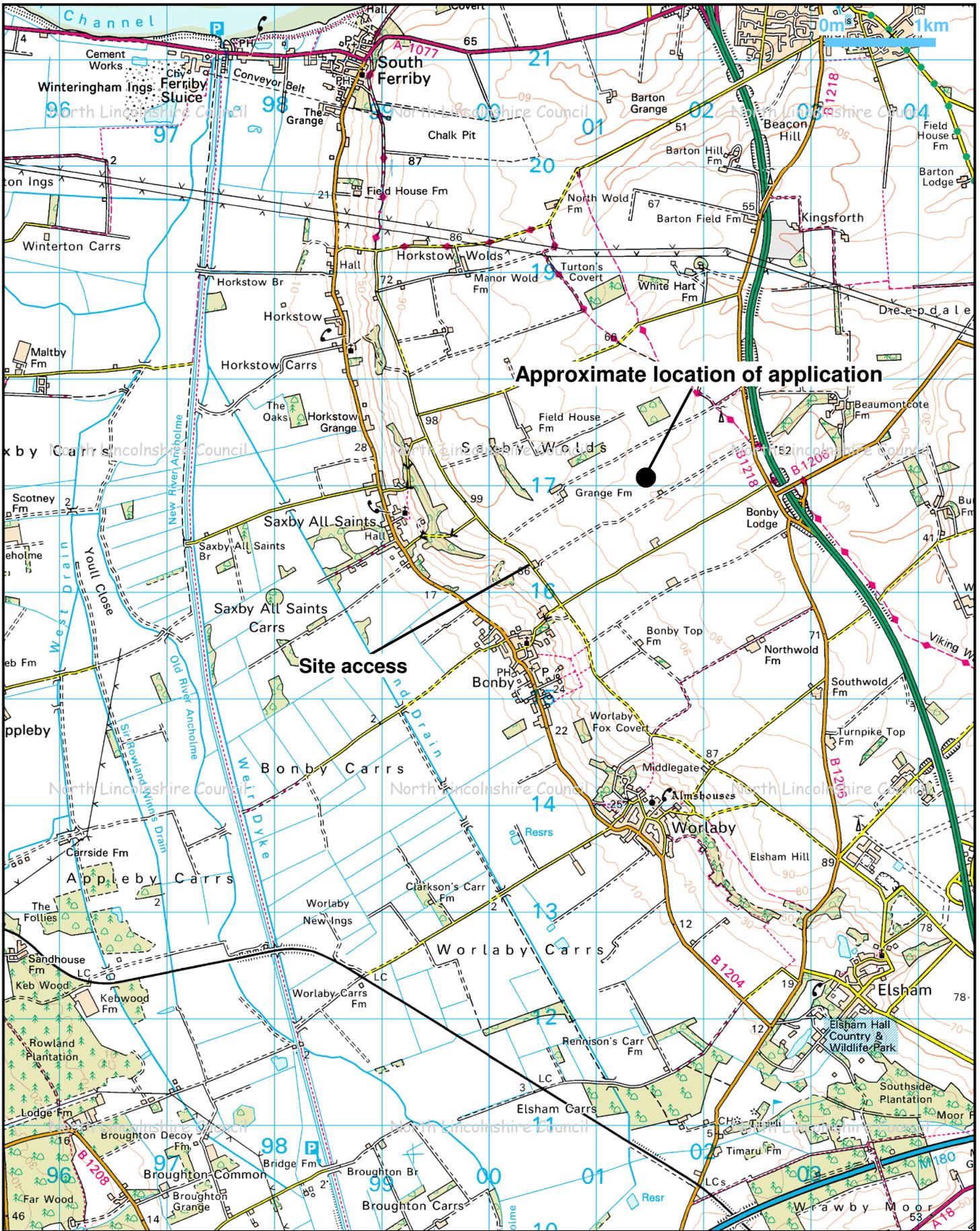
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Director of Places
Peter Williams
BSc,DMS,CEng,MEI,MCMl,AMIMechE



Title: PA/2012/0159

Drawing No:

Version: 1

Drawn by: Kim Capes

Date: 08/10/2012

Scale @A4 1:47658



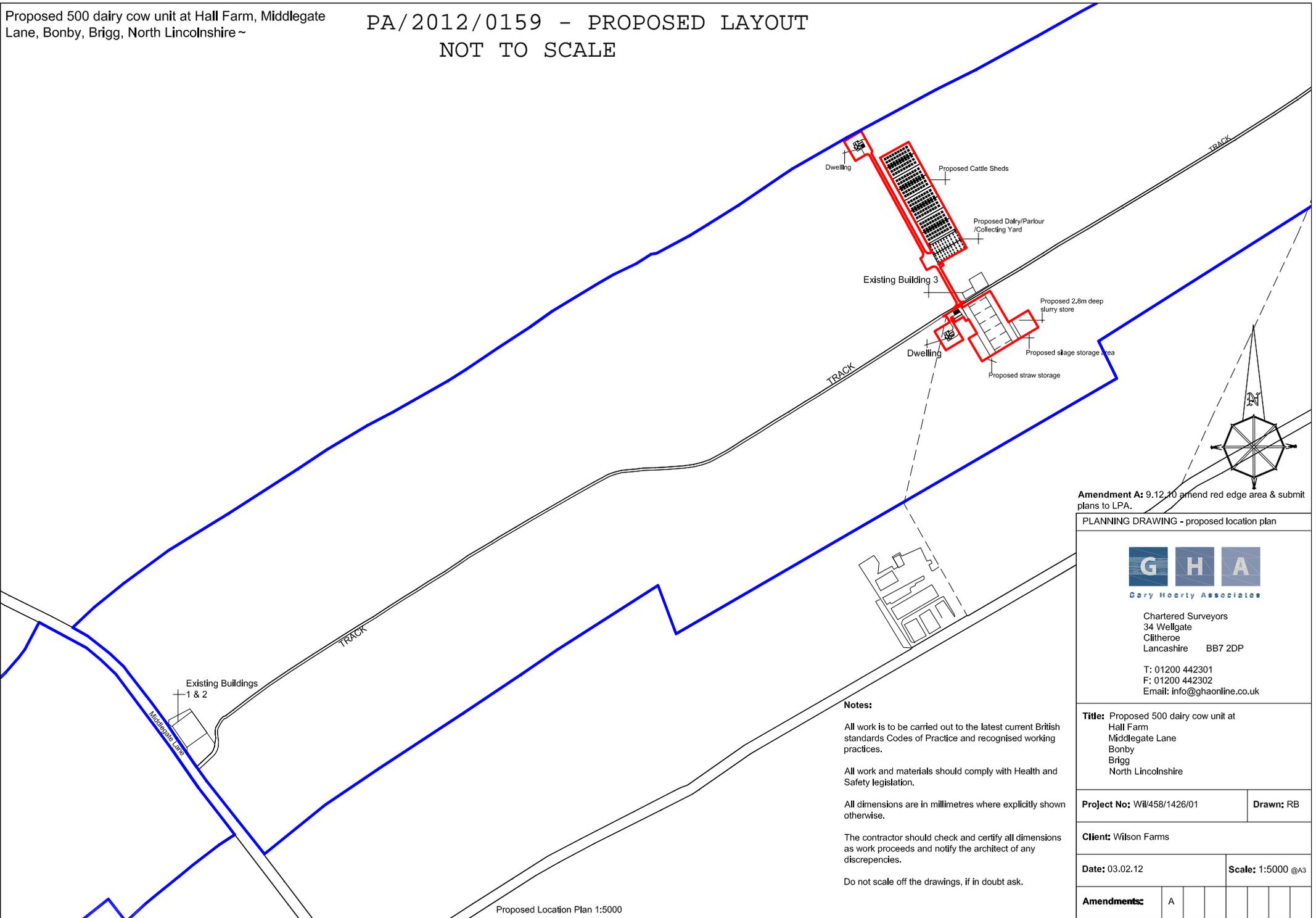
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Director of Places
Peter Williams
BSc,DMS,CEng,MEI,MCMI,AMIMechE

Proposed 500 dairy cow unit at Hall Farm, Middlegate Lane, Bonby, Brigg, North Lincolnshire ~

PA/2012/0159 - PROPOSED LAYOUT
NOT TO SCALE



Amendment A: 9.12.10 amend red edge area & submit plans to LPA.

PLANNING DRAWING - proposed location plan



Chartered Surveyors
34 Wellgate
Clitheroe
Lancashire BB7 2DP
T: 01200 442301
F: 01200 442302
Email: info@ghaonline.co.uk

Title: Proposed 500 dairy cow unit at Hall Farm, Middlegate Lane, Bonby, Brigg, North Lincolnshire

Project No: Wil/458/1426/01 **Drawn:** RB

Client: Wilson Farms

Date: 03.02.12 **Scale:** 1:5000 @A3

Amendments:	A					
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Notes:

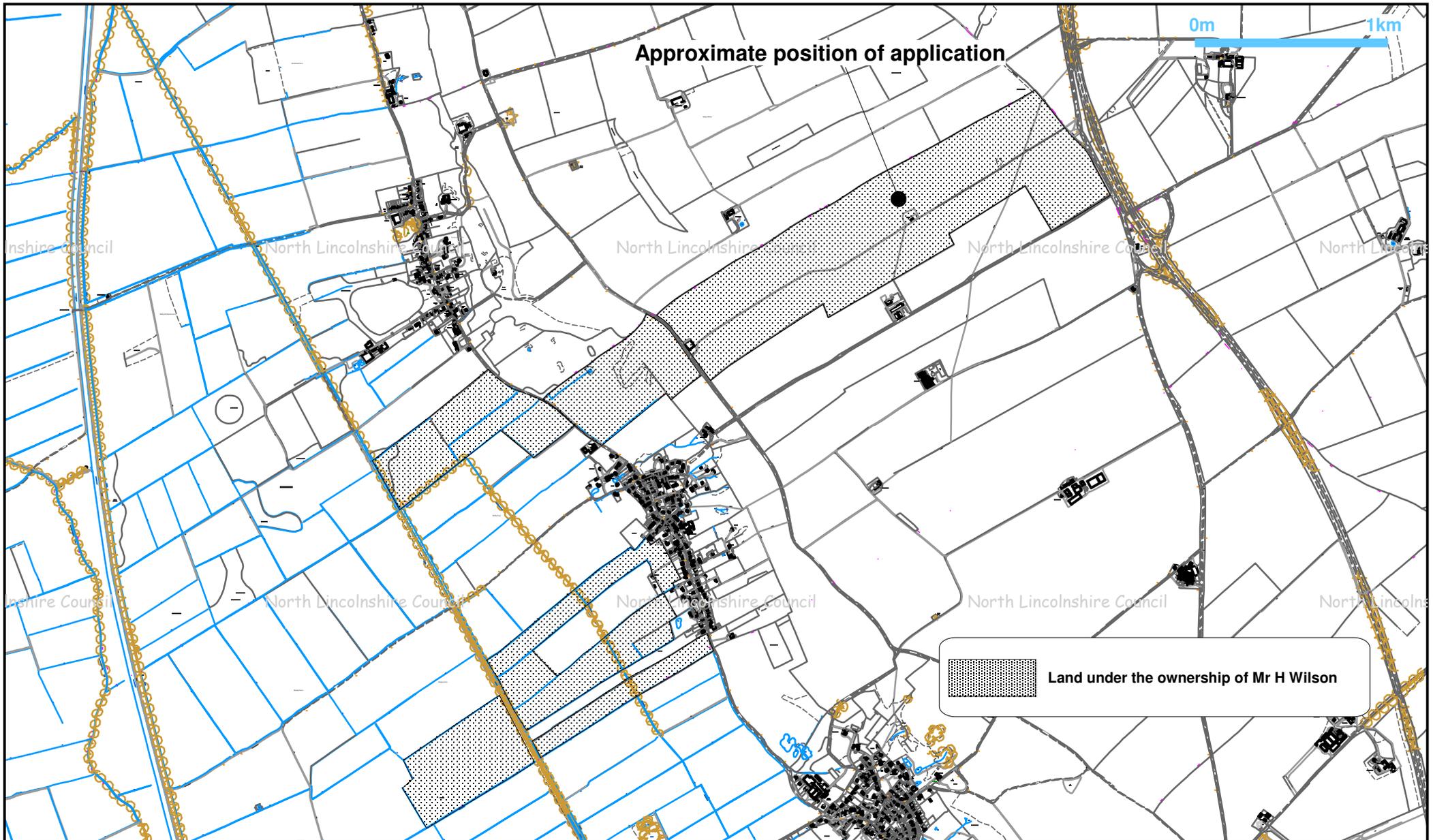
All work is to be carried out to the latest current British standards Codes of Practice and recognised working practices.

All work and materials should comply with Health and Safety legislation.

All dimensions are in millimetres where explicitly shown otherwise.

The contractor should check and certify all dimensions as work proceeds and notify the architect of any discrepancies.

Do not scale off the drawings, if in doubt ask.



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Title: PA/2012/0159 - land ownership

Drawing No:

Version: 1

Drawn by: Kim Capes

Date: 08/10/2012

Scale @A4 1:27112



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Peter Williams
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