

MEETING:	PLANNING COMMITTEE
DATE:	18 NOVEMBER 2015
TITLE OF REPORT:	150990 - PROPOSED ERECTION OF TWO AGRICULTURAL BUILDINGS, FEED BINS AND ASSOCIATED DEVELOPMENT FOR PIG REARING AT THE MEADOWS, ALMELEY, HEREFORD, HR3 6LQ For: Mr & Mrs Griffiths per Mr Clark, Berrys, Newchurch Farm, Kinnersley, Hereford, Herefordshire HR3 6QQ
WEBSITE LINK:	https://www.herefordshire.gov.uk/planning-and-building-control/development-control/planning-applications/details?id=150990&search=150990
Reason Application submitted to Committee – Re-direction	

Date Received: 2 April 2015

Ward: Castle

Grid Ref: 334049,251522

Expiry Date: 23 July 2015

Local Member: Councillor WC Skelton

1. Site Description and Proposal

- 1.1 The Meadows lies on the south side of the C1079 road on the eastern outskirts of the village of Almeley. The farmhouse lies close to the road with a number of modest sized buildings running south easterly. The proposal is for the erection of two pig rearing buildings and associated feed silos with hardstanding, as a continuation of the line of buildings.
- 1.2 The buildings measure 60.96m x 15.24m with a ridge height of 6.309m and eaves of 4.267m. The ridge would be mounted with up to ten vents with fans. Each building would be served by a feed silo at the northern end of the building, at approximately 8.1m high. Deliveries would be from a new concrete hardstanding at this end, with a further concrete area at the other end of the building, where cleaning would take place. A storm water harvesting tank and dirty water tank are also proposed.
- 1.3 A public footpath, AM22A runs from the C1079 past the farmhouse southwards close to the existing buildings then runs along the northern boundary of the field within which the new buildings are proposed. Footpath AM17 runs east/west through the field immediately to the south of the site, and AM5 approximately 400m to the west. The site is not located within an area of any special landscape designation. According to the Council's landscape classification it is identified as Principal Timbered Farmland. The land is identified as grade 2 agricultural land.
- 1.4 The nearest dwellings are Wingles Cross Cottage, adjacent to the farm house, approximately 170m north of the site and Wingles Cross a listed building on the opposite side of the road from the farmhouse, at approximately 190m. The next nearest dwelling lies on the edge of the village at just over 300m.

- 1.5 The application is subject to Environmental Impact Assessment Regulations and is accompanied by an Environmental Impact Assessment, including coverage of the following matters: odour, noise, transport, amenity, ecology, ammonia dispersion, landscape, historic heritage, cumulative impact and site selection.

2. Policies

2.1 Herefordshire Local Plan - Core Strategy

SS1	-	Presumption in favour of sustainable development
SS4	-	Movement and transportation
SS5	-	Employment provision
SS6	-	Environmental quality and local distinctiveness
SS7	-	Addressing climate change
RA6	-	Rural economy
MT1	-	Traffic management, highway safety and promoting active travel
E1	-	Employment provision
LD1	-	Landscape and townscape
LD2	-	Biodiversity and geodiversity
LD3	-	Green infrastructure
LD4	-	Historic environment and heritage assets
SD1	-	Sustainable design and energy efficiency
SD2	-	Renewable and low carbon energy
SD3	-	Sustainable water management and water resources
SD4	-	Waste water treatment and river water quality

2.2 National Planning Policy Framework 2012. In particular:

Introduction	-	Achieving sustainable development
Section 3	-	Supporting a prosperous rural economy
Section 11	-	Conserving and enhancing the natural environment
Section 12	-	Conserving and enhancing the historic environment

- 2.4 The Herefordshire Local Plan – Core Strategy policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy>

3. Planning History

- 3.1 Ref 143561 - Proposed erection of two new purpose built buildings for the housing and rearing of pigs- withdrawn 12th January 2015.

4. Consultation Summary

Statutory Consultees

- 4.1 Environment Agency - No objection.

Environmental Permit Regulations (EPR): The proposed development will accommodate a maximum of 1,950 rearing pigs which falls below the threshold for the applicant requiring an Environmental Permit (EP). For your information intensive farms with a capacity exceeding thresholds require a permit under the Integrated Pollution Prevention and Control Directive (IPPC). IPPC is implemented in England and Wales through the Environmental Permitting Regulations (EPR). EPR applies to farms with the capacity for more than:

- 750 Sows
- 2,000 production pigs over 30kg and
- 40,000 poultry

As the proposed development falls under the abovementioned 2,000 pig threshold we would expect your Environmental Health team, as the regulating body, to comment upon the suitability of the proposed development in terms of odour, noise and public nuisance.

Pollution Prevention: Developers should incorporate pollution prevention measures to protect ground and surface water. We have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice which include Pollution Prevention Guidance Notes (PPG's) targeted at specific activities. Pollution prevention guidance can be viewed at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>.

The construction phase in particular has the potential to cause pollution. Site operators should ensure that measures are in place so that there is no possibility of contaminated water entering and polluting surface or ground waters. No building material or rubbish must find its way into the watercourse. No rainwater contaminated with silt/soil from disturbed ground during construction should drain to the surface water sewer or watercourse without sufficient settlement. Any fuels and/or chemicals used on site should be stored on hardstanding in bunded tanks.

Flood Risk: The site is located in Flood Zone 1 (low probability) based on our indicative Flood Zone Map. Whilst development may be appropriate in Flood Zone 1 a Flood Risk Assessment (FRA) is required for 'development proposals on sites comprising one hectare or above where there is the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect on surface water run-off.

Under the Flood and Water Management Act (2010) the Lead Local Flood Authority (LLFA) should be consulted on the proposals and act as the lead for surface water drainage matters in this instance. We would also refer you to our West Area Flood Risk Standing Advice – 'FRA Guidance Note 1: development greater than 1ha in Flood Zone 1' for further information.

4.2 Welsh Water - no objection

On the basis no flows are discharged directly or indirectly to the public sewerage system Welsh Water have no further comment on this application.

4.3 Natural England:

Internationally and nationally designated sites

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is within 5km of the River Wye Special Area of Conservation (SAC) which is a European site. The site is also notified at a national level as River Wye Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential

Further information on the subject of this report is available from Mr M Tansley on 01432 261815

impacts that a plan or project may have.

SAC- No objection with condition and comments

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, ie the consultation does not include a Habitats Regulations Assessment. In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided and the condition advised below, Natural England offers the following advice:

- the proposal is not necessary for the management of the European site
- that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment

When recording your HRA we recommend you refer to the following information to justify your conclusions regarding the likelihood of significant effects:

- Ammonia Dispersion Modelling Study for the proposed pig rearing buildings at the Meadow Farm, Almeley, Herefordshire
- Berrys letter dated the 22 June 2015

Condition

To avoid damage to the special interest of the above named SAC, a condition requiring a Dirty Water and Manure Management Plan should be submitted and agreed with the council prior to commencement of any works. The Dirty Water and Manure Management Plan should describe how they will prevent diffuse pollution entering the watercourses and ultimately the River Wye SAC.

Comments

We would like to make a few comments regarding the Ammonia Dispersion Modelling Study. Though we are satisfied overall with the report there are a few points we would like to make. The aim of the report was to study six identified SSSIs and one SAC within 5 km (page 1). It should be noted that all European protected sites within 10km and all SSSI within 5km should be assessed. See page 23 of Environmental Agency- H1 Annex B- Intensive Farming. We note that there are six SSSI (The Struts, Quebb Meadow, the Birches, Upper Welson Marsh, and Bushy Hazels & Cwmma Moors, The River Wye) within 5km and one SAC (the River Wye) within 10km. On page 2 of the report, it is stated that "The River Wye SSSI & SAC is an aquatic site which does not have an ammonia Critical Level or Critical Load. This is incorrect. The River Wye SAC/SSSI is notified for a number of features including aquatic features, vascular plants, invertebrates, breeding nationally rare fish species, otters and bryophytes. Some of these features like bryophytes for example are sensitive to air pollution and therefore it would not be appropriate to assign no ammonia critical level or critical load to a section of the river which has a notified air pollution sensitive feature. We do note that the report screened the River Wye SAC/ SSSI against a critical level of 1µg/m.

The River Wye SSSI - No Objection with condition

This application is within 5km of The River Wye Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted and the condition requested (see above). We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

The Struts SSSI, Quebb Meadow SSSI, the Birches SSSI, Upper Welson Marsh SSSI, and Bushy Hazels & Cwmma Moors SSSI -No objection – no conditions requested

This application is within 5km of The Struts SSSI, Quebb Meadow SSSI, the Birches SSSI, Upper Welson Marsh SSSI, and Bushy Hazels & Cwmma Moors SSSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Protected Species

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

In response to further consultation-

Having read the further information we would refer the Authority back to our previous response dated the 7 August 2015 and the advice we provided in our letter which is still applies. We note that there is some inconsistencies regarding amounts of manure and levels of lorry movements. It is for the Local Planning Authority to assess whether the figures provided are correct. It is now proposed that a portion of the manure is removed off the site by a third party. It is our understanding that manure taken off site would not be covered by planning, but may be regulated if it is spread in a Nitrate Vulnerable Zone, or within a Site of special scientific interest under the Wildlife and Countryside Act 1981 (as amended).

Internal Council Consultees

4.4 Environmental Health

The problems most commonly associated with the operational activities of this type of development are:-

1. Odour, directly from the pig rearing houses and is also a problem often associated with the storage, disposal and spreading of manures.
2. Noise, from ventilation systems, deliveries and cleaning of the rearing sheds.
3. Dust, from ventilation systems.

4. Emissions of ammonia.
5. Pollution of water courses, water supplies etc.
6. Insect and rodent infestations.

In addition to the operational concerns there is potential of pollution associated with developments involving substantial construction works during the e.g. by noise, dust etc.

4.5 The application has addressed these matters in the following manner:

1. An Assessment of the Odour Impact of the Proposed Pig Rearing Buildings at the Meadows Farm has been prepared by ADAS UK Ltd, reference No:CEN4120 Dated March 2015. This assessment suggests that Environment Agency guidelines for odour emissions from intensive livestock operations might be too onerous and not necessarily applicable to this proposal. Whilst it is for 1,950 pigs and falls below the threshold of 2000 pigs which would require an Environmental Permit from the Environment Agency it is my opinion that the advice provided by Agency in its document H4 Odour Management is appropriate and that the modelling methodologies and odour benchmarks should apply i.e. that the hourly meteorological data used should be for a period of at least 3 years, preferably 5 and that the 98th percentile of hourly average concentrations of odour modelled for an average year should not exceed 3 odour units. This being the level set for moderately offensive odours which have been questioned by concerned residents, however intensive livestock units are specifically identified in the document as a process falling within this category. Whilst the results of the odour assessment take into account the intensity, duration frequency and offensiveness of the odour, a person's response to an odour is also dependant on their tolerance and expectations and these can be influenced by the type of locality. As Almeley lies within a predominantly agricultural area it could be considered that it might not be unreasonable to expect some odours of an agricultural nature and therefore I suggest that in the absence of any other appropriate advice that it would be inappropriate to use a lower limit as the benchmark. The Assessment concludes that the '5 year mean 98th percentile hourly mean odour exposure concentrations at all receptor points are below the benchmark range of 3.0ou²/m³(odour units) to 5.0ou²./m³ and also below the EA H4 benchmark of 3.0ou²/m³ at all discreet receptor points, representing nearby residential properties. It therefore follows that modelled emissions from the pig rearing unit would not result in any significant loss of local amenity.'
2. **Disposal of Manures and Wastes** - Concerns have been raised about nuisance caused by the storage and spreading of manures and whilst the above assessment does not consider the odours that might be emanate from field manure stores or manure spreading supporting documentation presented with the application make reference to the DEFRA Code of Good Agricultural Practice for Farmers, Growers and Land Managers 'Protecting our Water Soil and Air' which recognises that the use of manures as fertiliser is good practice and provides advice on how problems caused by the storage and spreading of manures and wastes may be best managed, including the reduction of odorous emissions. Manures should only be spread on land in beneficial quantities and although this is controlled by the Environment Agency the Council could consider imposing controls through planning conditions as regards the locations of field stores and where and how manures can be spread. This would be in addition to the Dirty Water and Manure Management plan the farm is required to provide for the Agency in that it will give consideration to the protection of neighbours from nuisance. However, should nuisance be caused by the storage and spreading of manures, separate and distinct from these powers are available to the Council to require that 'Best Practicable Means' is used to prevent smell nuisance.

3. A noise impact assessment of predicted noise levels, report dated the 30th March 2015, has been undertaken and submitted with the application. The report concludes that 'impact of any site generated noise relative to HGV movements along local road network is insignificant ' and that the' assessment indicates no significant impacts to slight significance in terms of residual impacts after the introduction of mitigation measures. The above therefore shows that there is no reason in terms of noise to refuse planning permission for this proposed development.' There is criticism of the use BS4142 to assess noise from mechanical sources. The standard is clearly applicable however the 2014 version advises that in situations of unusual noise levels that the results of the assessment should be interpreted with care e.g. that absolute noise levels rather than the rating level obtained using the method prescribed by the standard may be of greater relevance. It is Environmental Health's view that it is good practice to undertake a BS4142 assessment for developments falling within it's scope but that the results should be interpreted appropriately. Concerns have also been raised about the Baseline Noise monitoring however it is my experience that the levels reported are typical of those that would be expected in this type of locality .The BS4142 for the night time period provides a rating level +5 dB. According to the standard this is 'likely to be an indication of adverse impact depending on context.' However the predicted sound levels at the nearest properties are very low and having regard to World Health Organisation advice and BS 8332:2014 the absolute level would not be of concern. Predicted daytime sound levels are consistent with the level of existing ambient sounds and of the sort that could be expected in this type of location.
4. Pig rearing sheds can be a source of dust/particulate emissions however due to the separation from neighbours it is unlikely that this will be a problem. DEFRA research on poultry houses Project AC0104 states that particulate from those reduced to background levels within 100meters.
5. A Dispersion Modelling Study for the proposed Pig Rearing Buildings has been produced that concludes that the contribution to atmospheric ammonia at the modelling points representing sensitive locations would be insignificant. Ammonia is emitted to air from a number of sources, industrial, road traffic and significantly from agriculture. The main concerns about ammonia emissions relate to acidification where chemical reactions involving air pollutants create acidic compounds that can cause harm to the environment and to eutrophication where nitrogen can be deposited in soils or rivers and lakes through rain affecting the nutrient levels and diversity in sensitive environments. To some extent due as a consequence of chemical reactions in the air it can contribute to particulates in air. The control of ammonia emissions does not generally fall within the remit of Environmental Health.
6. There appear to be no private water supplies that would be put at risk by this development. I would also refer you to my comments on manures and the Code of Good Agricultural practice which also provides advice on how to avoid pollution of water. The protection of controlled waters falls within the remit of the Environment Agency who can take action against those that cause pollution.
7. Proper and robust pest control regimes can ensure that undue problems are not caused by insects or rodents. Consideration could be given to a planning requirement for an approved pest management protocol however the provisions of the Prevention of Damage by Pests Act 1949 and The Environmental Protection Act 1990 provide adequate powers to the Local Authority to require remedial action should problems occur.

4.6 The noise assessment has given consideration to construction noise and advises that levels will be within acceptable limits. The Control of Pollution Act 1974 provides a regime and powers to

the Local Authority to ensure that this is done. The Environmental Protection Act 1990 provides the powers to address any other statutory nuisances.

In conclusion it is my opinion that it would be difficult to defend a challenge to any refusal of this proposal on grounds of unacceptable noise, odour or dust from the pig rearing sheds and proper pest control measures would ensure that these are not a problem. Whilst the manure spreading may at times be an issue, subject to the controls outlined above manures from other sources can already be spread on the applicants land and any manures should only be used at an amount that provides an appropriate amount of nutrient to the land.

4.7 If it is minded to grant permission I would suggest that conditions are enclosed:

- requiring prior approval of a manure and waste water management plan which considers nuisance to neighbours
- Sheeting/enclosure of vehicles use to carry manures and wastes
- Prior approval of a noise management plan which should reflect the advice on mitigation measures identified in the noise assessment (7.1) including the restrictions identified on night time activity.

4.8 I have had opportunity to consider the Marches Planning and Property Consultancy's observations on my initial consultation response and would take this opportunity to make further comment.

1. To clarify the Environment Agency is the enforcing body that regulates what materials and how much may be spread on land so that this is done in a beneficial manner. It is my understanding that it is considered it good practice to provide a manure management plan which identifies the areas of land to be used for the spreading of manures (I note that such a plan has been produced) and to keep records of how much and when the manure is spread to demonstrate that this has been done in a proper manner. Failure to do so could be seen as a contributory factor should any harm be caused by the manure spreading activity and as such may prejudice any defence against any potential enforcement action. The same controls are applicable to both manures produced on or imported onto the farm. In situations where there are particular concerns for example Permitted Premises a formal manure management plan may be required.
2. I was aware that the DEFRA research report AC0104 related to work done on poultry houses. The Environment Agency Science report SCO40021/SRA, whilst accepting that there is some contradiction from the available research data identifies poultry houses, in particular broiler rearing operations, to be generally greater sources of dust and bioaerosols. When considered in its entirety it advises that although there is evidence to show the potential for ambient bioaerosol concentrations to be raised by intensive farming activities that there is insufficient evidence as to the potential for adverse health affects, and that further information is required to be confident that any detected microorganisms and endotoxins do actually come from livestock buildings and not the wider environment.
3. The ammonia dispersion modelling does not show that the same level of ammonia would be experienced at the neighbouring properties as at the pig rearing sheds; rather it shows that they lie within the same ammonia contour level i.e. over 1 microgram/m³. In general the further away a point is from the source the lower the concentration. The Public Health England report does not identify environmental ammonia as a hazard to health and the concentrations of ammonia to which it makes reference are many times greater than those expected from the pig rearing sheds.

4.9 Finally I remain of the opinion that it may prove difficult to defend refusal of this application for reasons of potential pollution.

4.10 Public Rights of Way Manager

The proposed buildings would not appear to affect public footpath AM22A. No objection.

4.11 Drainage Consultant

Fluvial Flood Risk

Review of the Environment Agency's Flood Map for Planning (Figure 1) indicates that the site is located within the low risk Flood Zone 1. This zone comprises land assessed as having a less than 1 in 1000 annual probability of flooding (<0.1%) from rivers. As the site is less than 1 ha, a Flood Risk Assessment (FRA) in accordance with National Planning Policy Framework (NPPF) is not required as part of the planning application.

Surface Water Drainage

The submitted Environmental Statement states that surface water runoff from the development will discharge to the existing ditch adjacent to the site.

In accordance with the National Standards for Sustainable Drainage and Policy DR4 of the Unitary Development Plan, the drainage strategy should incorporate the use of Sustainable Drainage (SUDS) where possible. The approach promotes the use of infiltration features in the first instance. If drainage cannot be achieved solely through infiltration due to site conditions or contamination risks, the preferred options are (in order of preference): (i) a controlled discharge to a local watercourse, or (ii) a controlled discharge into the public sewer network (depending on availability and capacity).

The Cranfield University Soils mapping indicates that the soils within the vicinity of the site are 'freely draining' and may therefore have adequate permeability for a soakaway. The Applicant should undertake soil infiltration tests to determine the feasibility of infiltration techniques. The tests should be carried out in accordance with BRE 365 guidance and, at minimum, the results should be submitted to the Council for review prior to construction. Groundwater levels should also be provided as Standing Advice recommends the invert levels of soakaways are a minimum of 1m above the groundwater level.

If further investigation proves that infiltration is not a feasible method for managing surface water runoff, the rate and volume of discharge to the adjacent watercourse should be restricted to the pre-development Greenfield values where possible. Reference should be made to Defra/EA document 'Preliminary Rainfall Runoff Management for Developments' (Revision E, January 2012) for guidance on calculating Greenfield runoff rates and volumes.

The Applicant should give consideration to the treatment of water prior to discharge. The use of SUDS techniques is considered applicable to a development of this size and nature.

Overall Comment

We have no objections to the proposed development on flood risk and drainage grounds but recommend the following information is requested as part of planning conditions and submitted to the council prior to construction:

- A detailed drainage strategy, with supporting calculations, showing the location and size of drainage features and demonstrating how discharges from the site are restricted to no greater than pre-developed rates (with climate change allowance).
- Evidence of infiltration testing in accordance with BRE365 to demonstrate the suitability of soakaways. If infiltration is a viable option for surface water management, groundwater levels should also be provided as Standing Advice recommends the invert levels of soakaways are a minimum of 1m above the groundwater level.

- Details of proposed attenuation structures and outfall structures.

4.12 Transportation Manager

The proposal will result in broadly the same highway effects as the current sheep enterprise. No changes are intended to the access, and as the current activities appear to be working without detriment to the highway network, I see no reason to object.

4.13 Conservation Manager (Historic Buildings)

I have reviewed the relevant application material submitted with the application and undertaken a site visit of Almeley village so as to understand the effects of the proposed scheme on the setting of designated heritage assets (listed buildings, a Scheduled Ancient Monument and the Almeley Conservation Area). I visited the site and considered its relationship with nearby heritage assets, as well as more general views from, to, of and between designated heritage assets. I have taken into account relevant national and local policy provision (the NPPF, the NPPG, UDP policy HBA4: Setting of Listed Buildings), the relevant statutory provision and guidance such as Historic England's *The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning 3*. I have also taken note of the findings of the relevant section of the EIA.

The proposed development would be located outside of the Almeley Conservation Area and would not be directly related to the curtilage of a listed building. The issue here is whether the proposed development would cause harm to the significance of the setting of designated heritage assets such as listed buildings, the conservation area and the scheduled ancient monument.

Setting is a broad concept that relates to the surroundings in which a heritage asset can be experienced. Setting can and often relates only to the curtilage within which it is located but often, setting can be more extensive than the immediate boundary of property. Historic England's guidance states that 'Setting is not a heritage asset, nor a heritage designation, though land within a setting may be designated. Its importance is in what it contributes to the significance of the heritage asset.' That is, in considering effects of proposals on the setting of designated heritage assets, the significance of the asset and how the wider area may influence it should be taken into account. UDP Policy sets out that 'Development proposals which would adversely affect the setting of a listed building will not be permitted.'

The Almeley Conservation Area is located some distance from the proposed site. It includes the south-western part of Almeley village, part of the hamlet of Almeley Wotton and a narrow valley known as The Batch that connects the two settlements. The vast majority of the conservation area has no potential to be affected by the proposals given distance from the site, intervening development and landscape features and the local topography. That part of the conservation area in closest proximity to the church and adjacent to its eastern boundary moving south towards the Whittern had the greatest potential to be affected by the proposed site. At the village core, close to the church, the grain of the village is close-knit and the area immediately surrounding the church would not be affected by the scheme. Moving southward, the road drops down the hill and there is no visual connection between the conservation area and the proposed site. Being at a similar level, the area has few clear views out to the east. Views are dominated by the buildings of Bridge Farm. This part of the conservation area feels moderately contained. It therefore is considered that the proposed scheme would not cause harm to the setting of the conservation area for reasons of the site's distance from the core of the conservation area, the lack of physical and visual associations or connections and the amount of intervening development and landscape features. While the site would fall within the conservation area's much wider setting, the significance of the conservation area, which is based on the relationship between existing buildings and the valley to the west, would not be harmed by a development at some distance in the east.

The settings of the listed buildings within the conservation area and beyond were also taken into account in assessing the proposed scheme. Importantly, the contribution of the listed buildings' settings to the significance of the designated assets was considered. In the main listed buildings such as Castle Frome and St Mary's church have very clear significance in terms of their architectural and historic interest and aesthetic, communal and historical value. Often their immediate setting, which includes either surrounding domestic, religious or farmed landscapes or buildings and structures that reflect the rural village quality of the listed buildings, contributes to their significance. I would not consider the proposals to affect the significance of the listed buildings within the conservation area or their settings. As with the conservation area, the proposed site is located some distance from the heritage assets of the village and would not affect designate heritage assets within the village or obscure an appreciation of understanding of their significance.

Having considered all of the relevant listed buildings, only one is in close proximity to the site. This is Wingles Cross, located to the northwest of the proposed site. Wingles Cross is a cottage dating most likely to the 17th century, perhaps with 18th century alterations. It is a relatively modest timber-framed building which is reflective of the area's historic development and its agricultural use. It is separated from the bulk of the village and set within a setting that includes large open areas to the north of the road and the property and to the south (particularly the south-west). The views of the surrounding landscape and its varied features clearly highlight the agricultural setting (and history of the setting) of the listed building. The Meadows forms part of the wider setting of the listed building but I would not consider the existing site to cause harm to the wider setting of the listed building. The proposed development would be situated further to the south and screened with additional planting. Given the distance of the site from the listed building, the fact that it does not obscure the listed building or overwhelm its presence in the landscape, the existing topography and the proposed landscape plan, I would not consider the proposed scheme to cause harm to the significance of the listed building or that of its setting. I do not consider that the proposals would detract from the setting of the listed building to the degree that the significance of the listed building is obscured. The setting of the listed building and its significance would not be harmed and I therefore have no objection to the proposed scheme.

4.14 Conservation Manager (Landscape)

These are my landscape comments which reference to this application relating to the following planning policy statements:

The National Planning Policy Framework, Item 11, 109 states:

'The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and soils'

There will be a loss of valued local environment due to the accumulative size of this proposal when seen in conjunction to existing nearby buildings. There will also be a loss of Grade 2 Agricultural soil which is classified as 'Very good soil' to this proposed development. These two issues will lead to deterioration in the key qualities of this landscape character.

The Herefordshire Unitary Development Plan, following policies state:

S1. Sustainable Development, *'Respecting patterns of local distinctiveness and landscape character in both town and country, safeguarding landscape quality and visual amenity'*

The proposed development would be visible from a number of locations along the public footpaths within the surrounding landscape, in particular when approaching the site from the south and east. As there are existing buildings adjacent to the proposed buildings, there would be an accumulative visual impact when seen from these public rights of way. The proposed tree

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planting on the Landscape Plan will take several years to mature and adequately screen the proposal. This in the short term will have an impact on the visual amenity of this area which would not respect the local distinctiveness and landscape character of this area.

LA2. Landscape Character and areas resilient to change, *'Proposals should demonstrate that landscape character has influenced their design, scale, nature and site selection. Where appropriate, developers will be encouraged to restore degraded or despoiled landscapes to their inherent character'*

There are environmental issues which impact on this site relating to this proposal, such as water pollution. Nutrient rich dirty water is presently being proposed to be spread nearby to the site. This is with reference to proposals on the 'Manure and Dirty Water Management Plan'. There are issues of soil infiltration on this land and potential impacts on the River Wye SSSI which presently has problems with high nutrient levels. Also due to proposed hard surfaces water run off will increase. The site is within a low risk Flood Zone 1.

The site proposals should not impact on any Listed Buildings within this area.

LA5. Protection of trees, woodlands and hedgerows, *'Through the enhancement and protection of individual trees, tree groups woodlands and hedgerows'*

(Since these comments were submitted the Core Strategy has been adopted, the main policy is now LD1).

The Landscape plan shows existing hedgerows to be enhanced and hedgerow trees to be planted, but does not show existing hedgerows and trees to be removed or protected.

3. Recommendations

On the basis of the above landscape comments, I would not object to this application if the following landscape issues are proposed.

- There are standard sized native trees planting at 7m centres to mitigate visual impact. The tree planting is in the same position as the indicative tree planting indicated on the Landscape Plan.
- The provision of a clear and comprehensive Sustainable Drainage proposal for waste water to be treated on site using appropriate attenuation ponds with reed beds/and infiltration systems.

If these above issues are addressed, I would then recommend:

1. The following details to be submitted:

Soft Landscaping:

- a) A plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, species and canopy spread, together with an indication of which are to be retained and which are to be removed.
- b) A plan(s) at a scale of 1:200 or 1:500 showing the layout of proposed tree, hedge and shrub planting and grass areas
- c) A written specification clearly describing the species, sizes, densities and planting numbers and giving details of cultivation and other operations associated with plant and grass establishment.

Hard Landscaping:

- a) Existing and proposed finished levels or contours
 - b) The position, design and materials of all site enclosure (e.g. fences, gates)
 - c) Layout and other vehicular and pedestrian areas
 - d) Hard surfacing materials to include permeable materials
 - e) Minor structures (e.g. lighting etc.) Any lighting proposals to include minimal night light pollution effects.
 - f) Location of existing and proposed functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating routes, manholes, supports etc.)
2. Sustainable drainage proposals for all runoff water and waste water. The proposed attenuation pond proposals should be clearly identified on the landscape plan/s and the embankment proposals of the pond should include appropriate native marginal planting. Cross section plans of these attenuation ponds should be forwarded. Appropriate SUDs management and maintenance proposals should also be forwarded along with the above plans.

4.15 Conservation Manager (Ecology)

I have read the ecological report submitted with the application and I would agree that the agriculturally intensified operations on this site have resulted in the field being of limited biodiversity value with the hedgerows holding most ecological interest. There is considerable scope for future use of this land to redress some of the balance and attractiveness to wildlife by adopting the mitigation and enhancement measures proposed. In this respect I would, therefore, advise that any approval should accommodate the recommendations of the report with a condition as follows:

The recommendations set out in Sections 6 and 7 of the ecologist's report from Star Ecology dated March 2015 should be followed unless otherwise agreed in writing by the local planning authority. Prior to commencement of the development, a habitat protection and enhancement scheme integrated with the landscape scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons:

To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policy LD2 of the Herefordshire Local Plan – Core Strategy, and to meet the requirements of the NPPF and the NERC Act 2006.

I have prepared an HRA screening report in which I conclude there to be a Likely Significant Effect which is viewable separately from my comments.

The ecologist had previously raised a number of concerns, along the same lines as the original comments from Natural England, however receipt of additional information has addressed their concerns, subject to the comments above.

This together with the matters that fall within the Environment Agency jurisdiction result in no objection to the proposal.

Latterly, In response to criticism in the objections about the submitted ecological report in the ES, he has confirmed that the submission is sound.

5 Representations

5.1 Almeley Parish Council

At a meeting of Almeley Parish Council held on 23rd September 2015, it RESOLVED to disassociate itself from all previous planning comments submitted to Herefordshire Council in the name of Almeley Parish Council in relation to the above proposed development site, as those comments were not as a result of public debate by parish councillors at a properly called parish council meeting and were therefore not lawful.

Almeley Parish Council held a meeting on Thursday 30th September at which it supported the views of the 47 local residents present and RESOLVED to object to the above application for the following reasons:

1. SIZE OF BUILDINGS

The buildings are much taller than standard pig rearing units.

2. INCLUSION OF FANS TO THE DETRIMENT OF PIG WELFARE

The previous application excluded roof fans because “the best environment for pigs is by allowing air to pass naturally through the shed. There is no need for fans or additional mechanical ventilation and therefore no associated noise.” Hence even the applicant is aware that fans are associated with noise.

3. UNACCEPTABLE NOISE LEVELS

The noise report states that, in addition to the fans, there will be a wide range of previously unexperienced artificial noises affecting the surrounding area, e.g: daily mechanical cleaning, loading of hoppers and increased traffic.

4. CHANGE OF FEEDER TIMINGS

The previous application included the feeding systems running all day, apparently to reduce the amount of squealing from the pigs. The feeders in the latest application are only to be operated between 7a.m. and 11 p.m. One can only assume that this will result in the endless drone of feeders all day, followed by pigs squealing all night.

5. PROXIMITY TO LOCAL COMMUNITY

Unlike other developments of this size, the location is far too close to the local community ... only 400m away from the local school and 350m from the social centre of the village ... the village hall.

6. ODOUR, POLLUTION RISK

Reports indicate that there will be increases in levels of odour, pollution risk from such a development, especially from ammonia with the maximum concentration area covering the whole of Almeley.

7. INCREASE IN TRAFFIC LEADING TO ROAD SAFETY PROBLEMS

8. ABSENCE OF ECOLOGICAL OR SUSTAINABLE CREDENTIALS

The proposed development does not have any ecological or sustainable credentials either in its construction, method of rearing, transportation or benefit to the community yet the core aim of Herefordshire's Development Plan states that the achievement of sustainable development must ensure recognition of the legitimate needs of everyone in the community and provide effective protection and enhancement of the environment.

9. CONTRARY TO LOCAL PLANNING POLICIES

The Herefordshire Unitary Development Plan poses the question "What benefit will this development bring to the community?" There has been no demonstration of any benefit to the community of Almeley. On the contrary, it has the very real potential to prevent positive development in the future.

10. NEGATIVE IMPACT ON LOCAL BUSINESS

There does not appear to be any new employment as a result of the development ... in fact it is likely to have a negative impact on other local businesses, including tourism.

11. CONTRARY TO NATIONAL PLANNING POLICY

The National Planning Policy Framework states that permission should be refused to development that fails to improve the quality of the area and the way it functions. It also states that "Those developing have a key role in listening to and respecting the views of others for the benefit of the whole community, not just a favoured few." This process has not happened.

5.2 Herefordshire Wildlife Trust raised the same concerns as Natural England in their original submission.

5.3 Objections have been received from approx. 60 different addresses, with a number generating more than one letter or from more than one person within the household. There has also been considerable e-mail exchange with questions about the development.

Petitions have accompanied a number of the letters with approximately 150 signatures.

The objections are summarised as follows:

1. Adverse impact upon Almeley, Woonton, Logaston and surrounding countryside.
2. Noise of running of the unit, including pig noise and roof mounted fans.
3. The proposal fails to meet the social role of the NPPF, being of no benefit to the community and no wealth creation other than to the applicants, it won't create local jobs.
4. Impact upon historic heritage contrary to the NPPF and 'special consideration' test S66 and S72 –Listed Buildings and Conservation Areas Act 1990.
5. Highway safety, additional traffic not less than sheep farm activity, contrary to T9.
6. Spreading of manure impacting upon amenity.
7. Potential for pollution from dirty water tanks.
8. Vermin rats and flies.

9. Odour, including from temporary manure storage areas and run off.
10. Proximity to school and village hall.
11. Landscape impact of buildings.
12. Despite description this is intensive pig rearing in confined space.
13. Contradictions in vehicle movement times between agent and consultant
14. If approved what guarantee that only 1950 pigs.
15. Contrary to policy E16 of the HUDP as within 400m of protected building.
16. Detrimental impact upon tourism, (9 of the letters objecting were from visitors to the area).
17. Impact on village water supply.
18. Devaluation of property.
19. Ecological impact.
20. Not sustainable development.
21. Volume of manure not addressed or inaccurate.
22. Responses from agent do not address questions or concerns.
23. Huge volume of phosphorous and nitrate will find its way to River Wye SAC and SSSI.
24. Health concerns including ammonia emissions.
25. Recent information about manure transportation suggests even greatest highway safety concern, potentially another 85 movements per annum.
26. Agent should identify the third party removing the manure.
27. Omission in the ES of consideration of protected species, and criticism of subsequent Ecologist comments on these points.
28. Unsustainable for pigs to be delivered from Oxfordshire and then slaughtered in Bristol.

5.4 6 letters of support have been received:

1. Buildings are far enough from village not to cause problems.
2. We live opposite at Wingles Cross and support the application.
3. This will support the local farming community.
4. Not farming traffic that causes problem, but lack of consideration of private cars to allow for them.

5. Better to produce pigs here, than import cheap food from abroad with no regard for animal welfare.
6. Freedom Food standard.

5.5 The applicant's Agent has responded to a number of queries. This includes comment about the volume of solid manure and how it will be disposed.

Based on industry standards and farming experience it is estimated that an average 1950 pig place straw based on 2.2 cycle per year will produce:

- 1,038m³ / 366.5 tonnes manure per year
- 6,577kg Nitrate per year
- Therefore 39ha / 96.4 acres are required for nitrate deposition

Other livestock on the farm in addition to the pigs will be approximately 20 cattle and 250 sheep. This will require a further 27ha / 68 acres of land for nitrate deposition.

Based on the above figures a total of 164 acres of land is required per year to spread the manure to comply with nitrate depositions. It is therefore likely that the farm holding at The Meadows, Almeley will have sufficient land available. However, if it becomes clear that nitrate deposition levels have been reached manure will be exported from the farm holding to third parties. This will be done following DEFRA best practice guidelines. The recipients of the manure will also be regulated by DEFRA regulations.

To limit phosphorus outputs farm management protocols will ensure that the land is managed to maintain a good soil structure and so avoid soil erosion and any field operations likely to degrade soil structure and exacerbate phosphorus loss.

5.6 In a later submission, subject to further consultation and advertising, the agent advised:

The Meadows farm is not in an NVZ area. Manure can therefore be stored in heaps and spread across the holding subject to relevant guidelines. In general this means manure can be spread at a rate of 250kg of Nitrogen per hectare (Defra Protecting our Water, Soil and Air – A code of good agricultural practice for farmers, growers and land managers). Based on the Nitrogen figures above 51 hectares of land would be required. The Meadows has 67 hectares of land available.

As previously advised much of the manure will be taken off-site in an arrangement with the straw supplier. Based on the figures above its likely that 50% of the manure would be taken off-site, generating approximately 50 vehicle movements per year.

Consequently, there will be sufficient land available at The Meadows to store and spread existing manure produced at the farm and manure and dirty water created by the proposed pig enterprise.

5.7 In response to the Marches Planning Consultancy comments the agent has responded as follows:

In response to the letter from Marches Planning concerning the amount of manure that the proposed pig unit will produce and how this manure will be dealt with I provide the following comments:

As previously advised in my emails dated 13th August and 18th September the pig unit is likely to produce 1038 cubic metres of manure per year (2.2 cycles). This figure has been provided by the company who supply the pigs. They are a major company with over 30 years' experience of

managing and operating pig units like the one proposed. The figure is based on practical experience and careful farm management.

I also provided another figure of 1973 cubic metres which was calculated following DEFRA guidelines. As stated in my email of 18th September guidelines are helpful but will not always relate to the circumstances of particular situations.

Marches Planning confirm that my calculations based on the DEFRA guidelines are correct but that the growth rates of the pigs is incorrect. There is a difference of 1 - 2 weeks in the various growth rate categories. The growth rates will vary slightly depending on the amount and type of feed they are given.

Recalculating the figures based on the growth rates quoted by Marches Planning shows that 2062 cubic metres of manure would be produced per year. A difference of 89 cubic metres from my calculations of 1973 cubic metres.

A variety of different figures have been provided about the amount of manure that will be produced but even based on the highest figure of 2062 cubic metres (which is considered to be much more than what will be produced) the manure can be dealt with in a responsible and compliant way.

1. The Meadows farm has **67 hectares** of land available for manure (nitrogen) and dirty water.
2. As advised in my email dated 18th September 50% of the pig manure will be taken off-site by third parties. Two parties have been identified who will take the manure.
3. Manure will be taken off site in sealed covered trailers and will be spread/ploughed in line with DEFRA guidelines. Records will be kept of where the manure is taken. 15 tonnes trailers would require 69 vehicles per year. 18 tonnes trailers would require 58 vehicles per year.
4. Based on the highest figure of 2062 cubic metres, 1031 cubic metres would be taken off-site and 1031 cubic metres would remain at The Meadows farm.
5. 1031 cubic metres of manure would produce 6,578kg of nitrate.
6. Nitrate can be spread at a rate 250kg per hectare, requiring 27 hectares for 6,578kg of nitrogen.
7. As previously advised in my letter dated 22nd June dirty water from washing down the pig units could be spread over one acre (0.4 hectares) to comply with DEFRA guidelines. There will only be two wash downs per year.
8. As advised in my email dated 13th August the existing cattle and sheep on the farm require 27 hectares for nitrate deposition.
9. 27 hectares (pig manure/nitrate) + 27 hectares (cattle/sheep manure/nitrate) + 1 hectare (dirty water) = **55 hectares**.
10. Approximately half of The Meadows land can be ploughed each year meaning that manure can be ploughed into to 33 hectares.

As previously advised and demonstrated above manure from the proposed development can be dealt with following DEFRA guidelines, which will ensure that it will be done responsibly and not causing environmental or neighbour nuisance.

In view of this and fact that the application and supporting information has demonstrated that the proposed development is in accordance with national and local planning policy I would expect that the application is recommended for approval.

- 5.8 The consultation responses can be viewed on the Council's website by using the following link:-
<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-

<https://www.herefordshire.gov.uk/government-citizens-and-rights/customer-services-enquiries/contact-details?q=customer&type=suggestedpage>

6. Officer's Appraisal

- 6.1 Clarification about the amount of manure had been sought given the significant difference in estimates between the agent and objectors and what is available through other documents on-line. This is set out in the agents' subsequent responses.
- 6.2 This application has been subject to an Environmental Statement (ES), which accompanied the application together with associated documents. The ES has been considered together with the accompanying planning application and further supporting environmental information and all other representations/consultation responses. All have been advertised in accordance with Statutory Procedures.
- 6.3 The key issues relate to:
- i) Alternative sites
 - ii) Economic, Business and Tourism
 - iii) Landscape and heritage assets
 - iv) Residential amenity
 - v) Transport/ Highway safety
 - vi) Drainage/Flooding
 - vii) Ecological issues
 - viii) Cumulative Impact

6.4 Alternative Sites

The site has been chosen as being the furthest from residences whilst remaining close to existing buildings to avoid isolated buildings in the countryside and to minimise the need for additional infrastructure. This is considered a reasonable approach to take.

Economic, Business and Tourism

- 6.5 The economic benefits of the development form part of the consideration of sustainable development as set out in the NPPF. Clearly there are general benefits in the diversification of the farming activity, though this is not specifically quantified. Objections have been received from several people who are visitors to the area, with the implication that the proposal would have a detrimental impact on future tourism. Again there is no quantified evidence of the potential impact. On that basis it is not considered that the development would cause significant harm to other businesses.

6.6 Landscape and Heritage Assets

The area does not benefit from any special landscape designation. The landscape character falls within the Principal Timbered Farmland designation. In the vicinity the landscape is open in appearance. The buildings are sited close to existing buildings as would be the norm in terms of reducing landscape impact. A Landscape Visual Impact Assessment has been submitted which includes consideration of impacts from a number of viewpoints including nearby footpaths.

The Conservation Manager (landscape) refers to a number of issues to be addressed, but concludes that subject to conditions there is no objection. On balance the loss of a limited amount of grade 2 agricultural land is not considered to warrant a refusal of the application.

There are several listed buildings within the village, with the nearest being Wingles Cross on the opposite side of the road from the farmhouse, the remainder lie on the western edge of the

Further information on the subject of this report is available from Mr M Tansley on 01432 261815

village 700m and more from the site. The Almeley Conservation Area is also situated on the western end of the village, approximately 600m at its closest to the site. The Almeley castle scheduled ancient monument site lies 700m to the west. The Environmental Statement also includes an assessment of heritage assets.

The Planning (Listed Buildings and Conservation Areas) Act 1990, S66 requires local planning authorities to have special regard to the desirability of preserving... the setting or any features of special architectural or historic interest which it possess. Similarly S72 advises that ...in a conservation area.. special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

The Conservation Manager (Historic Buildings) – comments at length in para 4.13 and concludes with no objection.

It is considered that the proposal complies with policies LD1 and LD4 of the Core Strategy and that those tests have been applied.

6.7 Residential Amenity

This section includes consideration of odour and noise.

Odour

An odour impact assessment has been submitted. The appropriate test in this instance, expressed as a 98th percentile of the hourly mean odour concentrations over a one year period is 3.0 ouE/m³, meaning the situation should be acceptable if this level is not exceeded on more than 2% of occasions.

The modelling indicates that the none of the closest three dwellings, being the farmhouse, Wingles Cross Cottage and Wingles Cross exceed this figure, being 2.87, 2.62 and 2.39 respectively. Two other dwellings, unnamed measure 2.71 and 2.64 whilst at the school it is 2.6.

Noise

Again subject of assessment, night time noise levels in areas of low background noise should not exceed 40 dB Lnight. For the two closest dwellings (excluding the farmhouse), background levels at night are already around this level. The modelling indicates that at the distances involved there would be no increase in night time levels as a consequence of the development.

The Environmental Health Officer has considered these matters, together with a number of others, as set out in para 4.4 above. Subject to a number of conditions there are no objections in terms of odour, noise or other emissions or issues and is therefore compliant with the relevant section of policy SD1 of the Core Strategy.

6.8 Highway Matters

The ES advises that ‘...pigs will be delivered to the site in one or two HGV loads, and will be removed in four to eight HGV loads. These movements will occur two or three times a year. Feed deliveries will result in an average of two HGV loads every two weeks. Each flock cycle will therefore result in sixty two HGV movements (one hundred and four 2-way HGV trips). Based on 2.4 cycles per year, this equates to two hundred and fifty 2-way trips per year, or an average of five 2-way HGV movements per week, or one 2-way HGV trip per day.’

This does not however include trips associated with removal of manure, which an objector estimates to be in the order of eighty five, so approximately one hundred and seventy movements per year. An average of less than four per week is not considered to make a significant difference.

The Transportation Manager has no objection and the proposal is considered to comply with policy MT1 of the Core Strategy.

6.9 Drainage and Flooding

Dirty water from the cleaning process (once every twenty week cycle) is to be collected in an underground tank, located underneath the yard area at the southern end of the buildings. This will then be spread on the applicant's land during appropriate weather conditions. Surface water from rain from buildings and hard areas that are clean or lightly contaminated will be separated from dirty water and collected in a storm water harvesting tank and re-used as part of the cleaning process.

Clean water, which is not collected in either of the tanks referred above, will discharge to the existing drainage ditch on the western boundary of the site.

The site lies in flood zone 1, the lowest category of risk. As the site is less than one hectare in area no flood risk assessment is required.

The Environment Agency has no objection. The Council's Drainage Consultant advises that a sustainable drainage scheme (SUDS) be considered if infiltration is not appropriate. In this instance clean water will discharge to an existing ditch, whilst dirty water is collected in tanks for later use. A later letter from the agent sets out more detail about dirty water disposal, including application rates and techniques and map. On this basis it is not envisaged that a SUDS scheme will be required.

The proposal is considered to comply with policy SD3 and SD4 of the Core Strategy.

6.10 Ecology

This is in part tied up with the management of dirty water referred to above. The Council's ecologist and Natural England had expressed concerns early on, however subsequent information submitted have addressed those matters and there is no objection from either party subject to conditions and an understanding that whilst not subject to an Environmental Permit, discharges are subject to other regulations and Defra best practice 'Protecting our Water, Soil and Air'.

Subsequently objectors raised concern about the adequacy of the ecological content of the ES. The Council's consultant has replied to these issues and maintains his position as set out in para 4.15. The proposal is considered to comply with policy LD2 of the Core Strategy.

6.11 Cumulative Impact

All of the above considerations have potential to create a situation, which whilst individually are acceptable, cumulatively, with other developments, create conditions which are unacceptable. In terms of odour for example, there are existing poultry units at a distance of around 1160m to the south east and another 1900m to the south, but at these distances there are considered to be no cumulative impact.

Similarly the concerns of Natural England related in part to cumulative issues related to dirty water disposal, but as set out above they have no objection. It is not considered that any of the considerations generate significant adverse impacts.

6.12 Conclusion

The application has been prepared and presented under the regime of the current Environmental Impact Assessment Regulations (EIA Regulations). The Environmental Statement meets the requirements of those regulations and addresses the relevant topics in adequate detail. Having considered the proposal with regard to the ES and other environmental information, consultee responses and other representations, it is considered that on balance, given compliance with the Herefordshire Local Plan - Core Strategy, and the overall tenor of the NPPF, the application should be recommended for approval.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**
- 2. The development hereby approved shall be limited to no more than 1950 pigs at any one time.
Reason: The permission is granted on the basis of the information supplied within the Environmental Statement and other information received , based on those figures, to ensure continued compliance with the policies of the Herefordshire Local Plan –Core Strategy identified throughout the planning report.**
- 3. B01 Development in accordance with the approved plans**
- 4. C01 Samples of external materials**
- 5. The recommendations set out in Sections 6 and 7 of the ecologist’s report from Star Ecology dated March 2015 should be followed unless otherwise agreed in writing by the local planning authority. Prior to commencement of the development, a habitat protection and enhancement scheme integrated with the landscape scheme should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.
An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.
Reasons:
To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policy LD2 of the Herefordshire Local Plan – Core Strategy, and to meet the requirements of the NPPF and the NERC Act 2006.**
- 6. Before the development hereby approved is brought into use a manure and waste water management plan shall have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details. It shall include details of the method of sheeting any vehicles used in removing manure from site.
Reason: To ensure compliance with policies SD1, SD3 and SD4 of the Herefordshire Local Plan – Core Strategy.**
- 7. Before the development hereby approved is brought into use a noise management plan which should reflect the advice on mitigation measures identified in the noise assessment (7.1) including the restrictions identified on night time activity, shall have been submitted to and approve in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.**

Reason: To ensure compliance with policy SD1 of the Herefordshire Local Plan – Core Strategy.

8. • Before the development hereby approved is brought into use a detailed drainage strategy, with supporting calculations, showing the location and size of drainage features and demonstrating how discharges from the site are restricted to no greater than pre- developed rates (with climate change allowance), shall have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details. This shall include evidence of infiltration testing in accordance with BRE365 to demonstrate the suitability of soakaways. If infiltration is a viable option for surface water management, groundwater levels should also be provided as Standing Advice recommends the invert levels of soakaways are a minimum of 1m above the groundwater level.

• Reason . To ensure compliance with policy SD3 and SD4 of the Herefordshire Local Plan – Core Strategy.

9. G10 Landscaping scheme
10. G11 Landscaping scheme - implementation

INFORMATIVE:

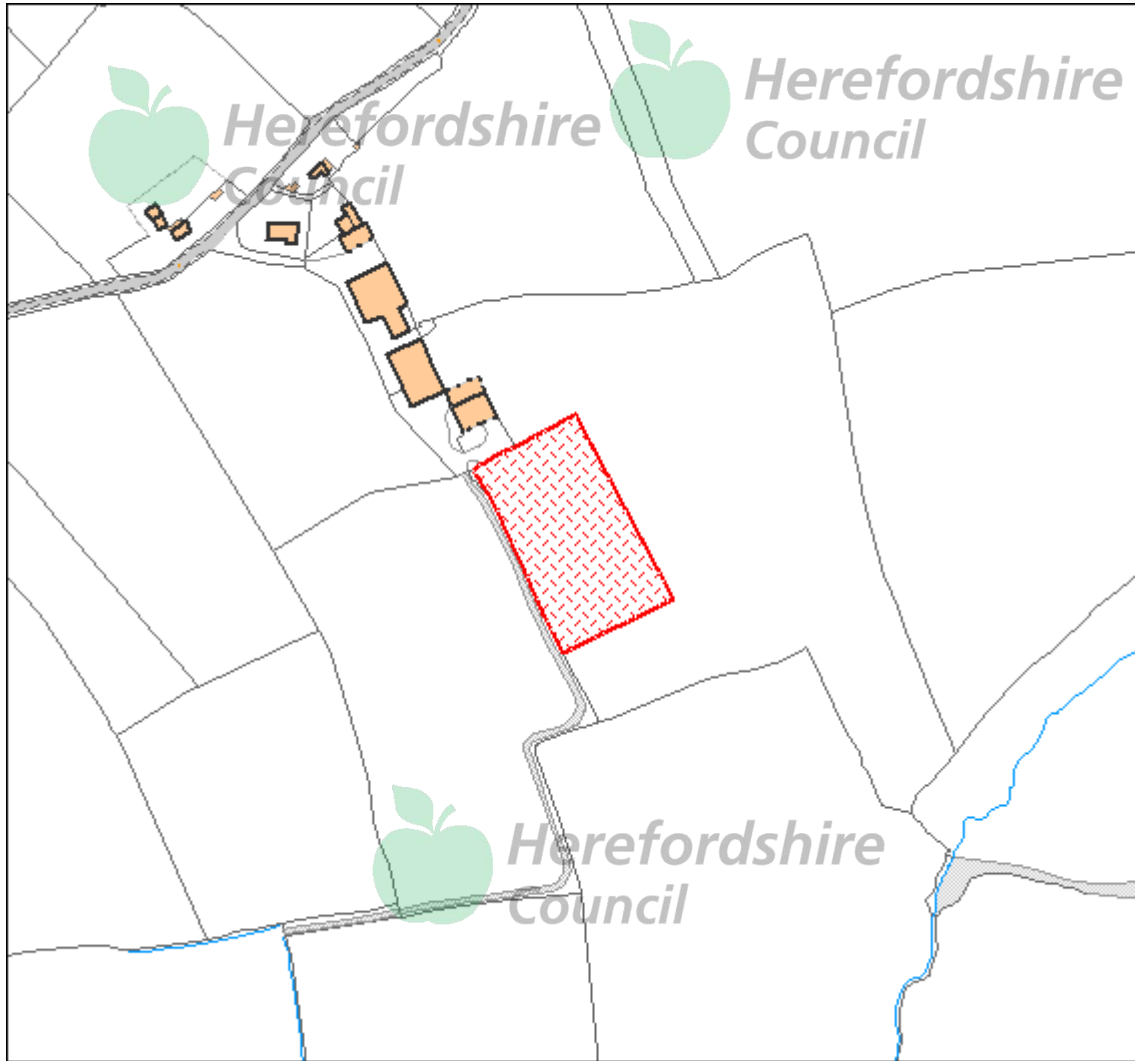
1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Decision:

Notes:

Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 150990

SITE ADDRESS : THE MEADOWS, ALMELEY, HEREFORD, HEREFORDSHIRE, HR3 6LQ

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