

MEETING:	PLANNING AND REGULATORY COMMITTEE
DATE:	4 October 2017
TITLE OF REPORT:	163391 - PROPOSED ERECTION OF FOUR POULTRY UNITS, FEED BINS, SERVICE BUILDING, ALTERATIONS TO EXISTING ACCESS AND ASSOCIATED DEVELOPMENT AT BOWLING GREEN FARM, CLEHONGER, HEREFORDSHIRE. For: Mr Whittal per Mr Graham Clark, Newchurch Farm, Kinnersley, Hereford, Herefordshire HR3 6QQ
WEBSITE LINK:	https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=163391&search=163391
Reason Application submitted to Committee - Redirected	

Date Received: 24 October 2016

**Ward: Wormside &
Stoney Street**

Grid Ref: 346390,237252

Expiry Date: 11 September 2017

Local Members: Councillors JF Johnson & SD Williams

For the avoidance of doubt the access is in Clehonger Parish (Stoney Street Ward) whilst the vast majority of the development is in Allensmore Parish (Wormside Ward)

1. Site Description

- 1.1 The application site lies to the south of the B4349 east of the village of Clehonger some 1.75km by road to the A465 that provides a direct route into Hereford. The application site has an existing vehicular means of access onto the B4349. In addition to the application site including this vehicular means of access it incorporates, amongst other areas, an area of land approximately 400 metres to the south. It is worth noting at this stage that this parcel land to the south is not visible from the B4349 due to the topography of the landscape hereabouts. The land rises from the road level (Approx. 107.4m AOD) to a high point of approx. 110.8m AOD before dropping to a level of approx. 103 m AOD at the bottom of the field upon which the poultry units are proposed to be sited.
- 1.2 Running through the application site to the east of the proposed poultry units is public bridleway CH18. This runs in a north – south direction from the B4349. This public right of way is located some 90 – 100 metres east of the proposed buildings. To the west and south of the site is public footpath AN2. The distance from this public footpath to the proposed poultry buildings varies between 230m – 500 m.

- 1.3 The landscape hereabouts is gently undulating. There are hedgerows with tree and a few woodland blocks such as that known as 'Courtlands Plantation' some 300 metres south of the site.
- 1.4 There are no residential properties within 400 metres of the proposed poultry buildings. The closest properties are 'The Old Laundry House' and 'Dunan House' in excess of 400 metres from the proposed poultry buildings. To the west and south-west of 'Dunan House' is a plantation of coniferous trees.
- 1.5 The main farm complex of Bowling Green Farm including the Farmhouse is on the northern side of the B4349 some 415 metres west of the entrance to the application site.
- 1.6 It is understood that the existing farm business includes arable and livestock farming activities. It is understood that the farm extends to 730 acres including 710 acres of arable production. Existing stock on the farm includes 12,000 free range laying hens which are accommodated within a purpose built unit in the farmyard at Bowling Green Farm. It is understood that the existing business employs three full-time agricultural workers.
- 1.7 As described above the main part of the development would be located at the bottom end of an existing arable field south of the B4349. It is proposed to erect four poultry units that would house a maximum of 212,000 broiler birds in total, split between four sheds.

Proposal

- 1.8 The proposal essentially involves:-
- Four poultry units measuring 106.6 metres x 24.3 metres with an eaves height of 2.57 metres and a ridge height of 6.07 metres. These profile metal sheeted buildings would have an Ardenne (RAL 7022) colour to their elevations and Anthracite (RAL 7016) colour to their roofs;
 - Eight feed bins in total – (i.e. two feed bins at the front of each unit) measuring 8.6 metres in height;
 - Service building measuring 6.1m x 6.1 m x 2.6 metres to eaves x 3.42 metres to ridge and car parking area;
 - Widening of the existing vehicular entrance onto the B4349 and upgrading of the existing access track leading to the proposed poultry units by additional stone and scalplings. This would involve 20 metres of hedgerow removal to the west of the existing access together with a further 20 metres of hedgerow translocation further to the west. 39 metres of hedgerow would need to be removed to the east of the existing vehicular access with a further 40 metres translocated. This would secure visibility splays of 2.4 metres x 124 metres in a westerly direction and 2.4 metres x 129 metres in an easterly direction. Translocating a 40 metres section of an existing hedgerow on the northern side of the B4349 would ensure forward visibility for those travelling out of Clehonger in an easterly direction to 160 metres (Drawing number 17480-02 Revision A). In addition the access would be designed to allow for two vehicles to pass and another passing place would be provided some 260 metres south of the access where the vehicle track turns to the west. At a point approximately mid-way down the field in which the poultry units are proposed to be sited, the track would divert in a south-easterly direction from its current route; the remainder of the existing track being removed);
 - Landscaping works. These would involve hedgerow tree planting within the existing western, northern and southern boundaries of the field within which the poultry units are proposed to be sited together with a new hedgerow with hedgerow trees being planted in a north-south alignment through the aforementioned field some 24 metres east of the proposed poultry sheds. In addition, a series of tree / woodland blocks are proposed to the north, east and south of the proposed building (see drawing PRI19723-11 Sheet 2 of 2); and

- Provision of an attenuation pond some 270 metres west of the site of the proposed poultry sheds.

- 1.9 The poultry units would be located at the southern end of the field in two pairs running parallel to the southern boundary in an east-west direction. The “front” of the units would face a central courtyard where all activities including vehicle turning / manoeuvring would take place. This is the area where bird delivery and collection, cleaning of units, feed delivery and collection of water would take place.
- 1.10 The poultry units would be built on a level platform at 103m above ordnance datum (AOD). This would require a cut and fill exercise and result in the units being dug in by up to approximately 2 metres on their northern boundary. Excess soil will be spread on land within the application site at an average depth of 103mm.
- 1.11 In the earlier withdrawn application it was proposed to dispose of some of the manure on the host farm whilst complying with all current Government Regulations and advice. However, this was met by objection from many in the local community. As a consequence the applicant is now proposing to transport all of the manure off the Farm (3,320 tonnes). However, if the LPA considered it appropriate he would be willing to dispose of 1,391 tonnes of this manure on the farm that has sufficient capacity.
- 1.12 The surface water from the proposed buildings would be discharged to the attenuation pond to the west via a swale ditch. Water from the attenuation pond would discharge into an unnamed ditch to the south of the attenuation pond via an existing land drain.
- 1.13 Dirty water from the clean-out process would be collected through a dedicated sealed drainage system to underground dirty water tanks. These would be located underneath the central yard and be sized to accommodate the volumes of water used in each production cycle. The dirty water would be removed from the tanks and either spread in appropriate locations and conditions on the applicant’s holding or taken to third party land.
- 1.14 It is understood that the proposed development would provide 1 full-time job and 1 part-time job whilst assisting in securing the longer-term future of the three existing farm employees.
- 1.15 It is understood that the applicant envisages that supervision in terms of the welfare of the livestock would be provided by a Site manager who it is envisaged would be accommodated in rented accommodation in the locality, although it is envisaged that if from the outset that were not possible that supervision and management would be provided by the applicant himself from the Farmhouse at Bowling Green Farm.

The proposal is EIA development and is accompanied by an Environmental Statement.

Production cycle

- 1.16 The chicks would be brought in from a hatchery with the average crop cycle being approximately 32 days for thinning and then a full destocking at around 38 days plus the clean-out period. At the end of the growing period they would be collected and transported to a processing plant. Each cycle, including cleaning of the sheds will be 45 days leading to 8 cycles per annum.
- 1.17 Before chicks arrive the bedding would be put into the buildings, which consist of wood shavings to a depth of around 2cm. The houses are warmed to a temperature of around 34 degrees. The buildings would be heated using mains gas. The temperature is reduced as the birds grow older and the ventilation rate conversely increases. The feed would be supplied by the processing company. It would be mixed according to the birds requirements at each stage

of growth. The water would be supplied by nipple drinkers which offer water in demand to minimise spillage.

- 1.18 At the end of the production cycle, the birds are removed and transported to the processing site. The buildings then go through their clean-out phase which involves dry-cleaning to remove organic material, wash down and disinfecting. The normal turn around period is around seven days before the buildings can be re-stocked and the cycle starts again. The break between crops could be longer at certain times of the year such as Christmas or if clean-out is delayed.

Vehicle Movements

- 1.19 The vehicle movements generated from the proposed poultry site are set out in the table below. This shows a worst case scenario. Vehicle movements associated with manure removal could be reduced by 12 per cycle.

Activity	Vehicle type	No. per flock cycle
Chick delivery	HGV	4
Feed delivery	HGV	25
Bird collection	HGV	28
Manure removal	Tractor/trailer	28
Shavings delivery	HGV	2
Dirty water collection	Van	2
Carcass collection	Van	2
Staff vehicles	Car	88
Catching gangs	Minibus	4
Cleaning teams	Minibus	4
Maintenance	Cars/vans	1
Vets/inspectors etc	Car	1

- 1.20 The busiest period in terms of the HGV generation of the site will be on day 32 and 38 when the birds are taken to factory. At its peak, the development proposals would generate 20 two-way HGV trips (10 in, 10 out) on day 32, and 36 two-way HGV trips (18 in, 18 out) on day 38 of the 45 day cycle.
- 1.21 The poultry unit would operate an 11 hour day for the majority of the flock cycle. On days where the birds are removed (usually during dark hours), operation would increase to 13 hours. Day 38 is the busiest day equating to 36 movements (18 in, 18 out) over a 13 hour period. This equates to 2.7 movements per hour or 1.35 in, 1.35 out movements.
- 1.22 In summary, the maximum daily HGV movements which would be generated by the development proposals would be 36 two-way HGV movements (18 in 18 out) for one day during each 45 day cycle. The maximum daily car, van and tractor movements which would be generated by the development proposals would be 28 two-way movements (14 in, 14 out) during day 41 and day 42 of the 45 day cycle. In total the manure removal would equate to 56 two-way movements (28 in, 28 out) during each cycle.
- 1.23 The majority of operational days (42 days in total) will generate between zero and four two-way HGV movements per day.
- 1.24 For the avoidance of doubt this proposed development already has the benefit of an Environmental Permit issued by the Environment Agency (Permit reference: - EPR/LP3433WG) on the 16th August 2017. An Environmental Permit deals with the following areas:-

- Management - including general management, accident management, energy efficiency, efficient use of raw material, waste recovery and security;
- Operations – including permitted activities, operating techniques, closure and decommissioning;
- Emissions to water, air and land – including to groundwater and diffuse emissions, transfer off site, odour, noise and vibration, monitoring;
- Information – including records, reporting and notifications;
- Poultry production – including the use of poultry feed, housing design and operation, slurry and manure storage and spreading.

All of the above are permitted within the requirements of Best Available Techniques (BAT).

It is a fundamental of Planning that one should not deal with matters that are controlled under separate legislation.

2. Policies

2.1 The Herefordshire Local Plan Core Strategy.

The policies that are considered to be of relevance to consideration of this application are:-

SS1	-	Presumption in favour of sustainable development
SS4	-	Movement & Transportation
SS5	-	Employment Provision
SS6	-	Environmental Quality
MT1	-	Traffic Management, Highway Safety and Promoting Active Travel
E1	-	Employment Provision
LD1	-	Landscape & Townscape
LD2	-	Bio-Diversity & Geo-Diversity
LD3	-	Green Infrastructure
SD1	-	Sustainable design and energy efficiency
SD3	-	Sustainable Water Management & Water Resources
SD4	-	Waste Water Treatment and River Quality
RA6	-	Rural Economy

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/info/200185/local_plan/137/adopted_core_strategy/2

2.2 National Planning Policy Framework (NPPF)

Paragraphs 1 – 14 (inclusive) are considered to be of relevance

Paragraph 17 is considered to be of relevance

Section 1 entitled 'Building a strong, competitive economy' is considered to be of relevance.

Paragraph 32 is considered to be of relevance.

Section 11 entitled 'Conserving and enhancing the natural environment' is considered to be of relevance.

- 2.3 Clehonger Parish Council and Allensmore Parish Council both intend producing Neighbourhood Development Plans. They designated their areas on 21 November 2014 and 26 May 2017 respectively. Neither have progressed to Regulation 14 stage.

3. Planning History

- 3.1 P153121/F – Proposed erection of 4 no. poultry buildings, feed bins, boiler building, straw storage building, hardstanding and attenuation pond – Withdrawn.

4. Consultation Summary

Statutory Consultations

4.1 The Environment Agency state:-

“Thank you for referring the above application which was received on the 28 October 2016. We would offer the following comments for your consideration at this time.

- 4.1.1 **Environmental Permitting Regulations:** The proposed development will accommodate up to 212,000 birds, which is above the threshold (40,000) for regulation of poultry farming under the Environmental Permitting (England and Wales) Regulations (EPR) 2010. The EP controls day to day general management, including operations, maintenance and pollution incidents. In addition, through the determination of the EP, issues such as relevant emissions and monitoring to water, air and land, as well as fugitive emissions, including odour, noise and operation will be addressed.
- 4.1.2 Based on our current position, we would not make detailed comments on these emissions as part of the current planning application process. It will be the responsibility of the applicant to undertake the relevant risk assessments and propose suitable mitigation to inform whether these emissions can be adequately managed. For example, management plans may contain details of appropriate ventilation, abatement equipment etc. Should the site operator fail to meet the conditions of a permit we will take action in-line with our published Enforcement and Sanctions guidance.
- 4.1.3 A Permit application has been submitted and is due for public consultation in the week beginning 7 November 2016.
- 4.1.4 For the avoidance of doubt we would not control any issues arising from activities outside of the permit installation boundary. Your Public Protection team may advise you further on these matters.
- 4.1.5 **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 is necessary.
- 4.1.6 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 of the new development on surface water run-off.
- 4.1.7 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.
- 4.1.8 **Water Management:** Clean Surface water can be collected for re-use, disposed of via soakaway or discharged directly to controlled waters. Dirty Water e.g. derived from shed

washings, is normally collected in dirty water tanks via impermeable surfaces. Any tanks proposed should comply with the Water Resources (control of pollution, silage, slurry and agricultural fuel oil) Regulations 2010 (SSAFO). Yard areas and drainage channels around sheds are normally concreted.

- 4.1.9 Shed roofs that have roof ventilation extraction fans present, may result in the build up of dust which is washed off from rainfall, forming lightly contaminated water. The EP will normally require the treatment of roof water, via swales or created wetland from units with roof mounted ventilation, to minimise risk of pollution and enhance water quality. For information we have produced a Rural Sustainable Drainage System Guidance Document, which can be accessed via: <http://publications.environment-agency.gov.uk/PDF/SCHO0612BUWH-E-E.pdf>
- 4.1.10 **Manure Management (storage/spreading):** Under the EPR the applicant will be required to submit a Manure Management Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, so long as this is done so within the applicants land ownership. It is used to reduce the risk of the manure leaching or washing into groundwater or surface water. The permitted farm would be required to analyse the manure twice a year and the field soil (once every five years) to ensure that the amount of manure which will be applied does not exceed the specific crop requirements i.e. as an operational consideration. Any Plan submitted would be required to accord with the Code of Good Agricultural Policy (COGAP) and the Nitrate Vulnerable Zones (NVZ) Action Programme where applicable.
- 4.1.11 The manure/litter is classed as a by-product of the poultry farm and is a valuable crop fertiliser on arable fields.
- 4.1.12 Separate to the above EP consideration, we also regulate the application of organic manures and fertilisers to fields under the Nitrate Pollution Prevention Regulations. We can confirm that Bowling Green Farm is located within a NVZ.
- 4.1.13 **Informative:** All pollution prevention guidance (PPGs) that was previously maintained by the Environment Agency has been withdrawn from use and can now be found on The National Archives (<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>) but may still be of assistance to inform the above. Pollution prevention guidance contained a mix of regulatory requirements and good practice advice. The Environment Agency does not provide 'good practice' guidance. Current guidance explains how to: report an environmental incident, get permission to discharge to surface or groundwater, manage business and commercial waste, store oil and any oil storage regulations, discharge sewage with no mains drainage, work on or near water and manage water on land."
- 4.2 **Welsh Water:** - No objection
- 4.3 **Natural England originally stated:-**
- "Thank you for your consultation on the above dated and received by Natural England on 27 October 2016.
- 4.3.1 Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.
- 4.3.2 **NO OBJECTION**
Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

European sites – River Wye Special Area of Conservation

- 4.3.3 Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the River Wye Special Area of Conservation and has no objection to the proposed development.
- 4.3.4 To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out. The following may provide a suitable justification for that decision:
- Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Broiler Chicken Rearing Houses at Bowling Green Farm, Clehonger in Herefordshire.
 - Design and Access Statement.

Cage Brook Valley Site of Special Scientific Interest (SSSI), Littlemarsh Common SSSI and the River Wye SSSI

- 4.3.4 Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which these sites have been notified and has no objection.

Other advice

- 4.3.5 Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Should the proposal change, please consult us again.”

and then further stated:-

- 4.3.6 “Natural England has previously commented on this proposal and made comments to the authority in our letter dated 28 November 2016.
- 4.3.7 The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.
- 4.3.8 The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.”

Internal Council Consultations

- 4.4 Public Rights of Way – “Public bridleways CH18 and AN1 will not be obstructed by the new units. Public footpath AN2 will be in close proximity to the proposed attenuation pond. Providing there is no risk of the pond flooding and spreading over the footpath, PROW will not object to the development”.
- 4.5 The Senior Landscape Officer originally stated:-

“1. Planning Context

1.1 National Planning Policy Framework

- 11. 109 Conserving and enhancing the natural environment
- 11. 112 Economic and other benefits of versatile agricultural land

1.2 Herefordshire Local Plan Core Strategy 2011 – 2031 (October 2015)

- SS6 - Environmental Quality and Local Distinctiveness
- SS7 - Addressing Climate Change
- LD1 - Landscape and Townscape
- LD2 - Biodiversity and Geodiversity
- LD3 - Green Infrastructure
- LD4 - Historic Environment and Heritage Assets
- SD1 - Sustainable Design and Energy Efficiency
- SD3 - Sustainable Water Management and Water Resources
- SD4 - Waste Water Treatment and River Water Quality

1.3 Designations/Constraints

- Listed Buildings – Clehonger Court, The Barn Grade II – No impact envisaged (Conservation Advisor to provide further information)
- Unregistered Parks and Gardens – Allensmore Court – No impact envisaged. Belmont House – No impact envisaged
- Agricultural Land Classification – Grade 2 Very good soils
- Flood zones and Ground Water Sensitivity areas - (Drainage engineer to provide further information)
- Footpaths/Bridleways – Footpath AN2 to the south west and Bridleway AN1 to the east.

1.4 Herefordshire Landscape Character Assessment

Principal Settled Farmlands – Main Characteristics are: ‘hedgerows used for field boundaries’. Secondary characteristics are ‘mixed farming land use’.

2. Landscape and Visual effects

I have read the Landscape and Visual Impact Assessment, prepared by ACD ENVIRONMENTAL, Document No PPR19723/1via, Revision C and Dated Oct 16 and the Environmental Statement, Chapter 7, Landscape and Visual Impact Assessment, Document No HA24899, prepared by Berrys. I have also seen the Landscape Proposals Plan, Drawing No PR119723-11E, Revision E.

I have visited the site and the surrounding areas on Thursday 29th September 2016.

I have also visited the site on Wednesday 7th December 2016 with the Case Officer and the Road Safety Officer to assess a new access point along the B4349 to the east of the existing access point. From a landscape perspective this new access point and access track would have a higher visual impact, compared to the existing access point and existing access track. As the existing access track runs parallel and adjacent to an existing native hedgerow it provides a screen and backdrop to the track. From this perspective the existing entrance and existing access track is the preferred Landscape option.

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

2.1 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'

The Landscape Character of the site is that of Principal Settled Farmlands with native hedgerows used as field boundaries in a mixed farming land use context. The landscape is open and rural with no development distractions to the eye when seen from nearby public rights of way. From these public rights of way near to the development site, farms and hamlet properties can be seen in the distance. The proposal for four poultry units is isolated in this open rural landscape setting. There are no landscape or environmental designations within or adjacent to the proposed development site.

There will be a loss of existing native hedgerow at the site entrance along the B4349 road for site line visibility reasons. Reinstatement of this native hedgerow in an appropriate position for visual mitigation reasons will take up to five years to mature.

There will also be a loss of Grade 2 agricultural soils within the development site. These are classified as very good agricultural soils. Where these soils are reused for a screening bund they should be clearly identified on the landscape plan. The proposed bund should blend into the existing contouring of the land so as to have minimal land form change while providing partial screening for the proposed development. This bund should be seeded with an appropriate grass seed mix.

The proposed buildings as seen on the Landscape Proposals Plan, Drawing No PR119723-11E, Revision E, now sit better in the landscape as a linear form adjacent and parallel to the linear hedgerow on the southern boundary. The proposed buildings should as far as possible also not detract from the character of this rural landscape. As this is an open landscape especially when seen from the main visual receptor the nearby Bridleway AN1 to the east, colour proposals for the buildings are of great importance. Recommended colours for the buildings to blend into this landscape are HPS200 Ultra range Ardenne (Ral 7022) for elevations including doors and HPS200 Ultra range Anthracite (Ral7016) in a matt finish for the roofs.

2.2 The National Planning Policy Framework, Item 11, 112 states: 'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'

The Agricultural Land Classification of the site is that of a Grade 2 soil which is considered to be a Very Good agricultural soil. There would be a loss of this high quality agricultural soil in the proposed development area.

2.3 The Herefordshire Local Plan Core Strategy 2011 – 2031, Dated October 2015, following policies state:

2.4 SS6. Environmental quality and local distinctiveness: 'Development proposals should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations'.

There are no landscape/environmental designations within or adjacent to the proposed development site. The development proposals are within an open rural landscape context. The proposed development and its access proposals should therefore reflect the local character of this landscape with reference to mitigation and enhancement proposals.

There are several footpaths and a bridleway within the zone of theoretical visibility. Nearby public rights of way will experience significant visual effects during the operational phase when mitigation measures have not taken effect. The main visual impact will be seen from the main visual receptor the Bridleway AN1 to the east of the proposed buildings. Mitigation measures proposed for a native hedgerow and native trees on this eastern boundary should be planted at the first appropriate opportunity. There will also be a visual impact on completion of the works when seen from this Bridleway AN1 for a minimum period of up to five years till the native hedgerow and proposed native trees mature. The development proposals when seen from other other public rights of way in the Zone of Theoretical Visibility are partially screened by existing mature hedgerows in the landscape. Further native tree planting within the existing native hedgerows along the site boundary will in the future (five years plus) further dilute views of the proposed development.

2.5 SS7. Addressing climate change: 'Development proposals will be required to include measures which will mitigate their impact on climate change'.

With future erratic weather predicted due to climate change the risk of flooding is expected to increase. Comments on the Sustainable Urban Drainage proposals for roof water run-off with this application can be obtained from the Herefordshire Council Flood Risk Management Team.

2.6 LD1. Landscape and townscape: 'Development proposals should'

- Demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas;
- Conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design and management;
- Incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and
- Maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement to trees lost through development and new planting to support green infrastructure.

In the surrounding landscape there are two unregistered Parks and Gardens, Allensmore Court and Belmont House. Due to the topography of the surrounding landscape and existing mature woodlands and hedgerows in the wider landscape, no visual impact is envisaged on the setting of these designated heritage assets.

2.7 LD2. Biodiversity and Geodiversity: 'Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire'.

Further information on biodiversity can be obtained from our Ecologist.

2.8 LD3. Green Infrastructure: 'Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure'

The Landscape Proposals Plan, Drawing No PR119723-11E, Revision E, now shows all existing site boundary hedgerows having native tree planting proposals. A native woodland proposal to the south of the proposed poultry units also has appropriate native trees. A new native hedgerow with native trees on the eastern boundary will also in time (five years plus) provide a visual mitigation measures with reference to the nearby Bridleway AN1.

2.9 LD4. Historic environment and heritage assets: 'Development proposals should protect, conserve and where appropriate enhance heritage assets'

Due to distance and the landscape topography no impact on the setting of the Grade II Listed Building at Clehonger Court are envisaged. Further information can be obtained from our Conservation Officer.

2.10 SD1. Sustainable design and energy efficiency: 'Development proposals should create safe, sustainable, well integrated environments for all members of the community'

Any lighting proposals associated with the development should reduce/prevent night sky light pollution.

2.11 SD3. Sustainable water management and water resources: 'Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid and adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation'.

Information from our GIS data base indicates there is a small area of surface water flooding on the proposed site with a 0.1% annual chance of flooding. Sustainable drainage proposals have been proposed for the roof rain water run – off. Our Flood Risk Management Team can provide further information on this proposal.

2.12 SD4. Waste water treatment and river water quality: 'Development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater'.

The site is within a Ground Water Vulnerability Minor – I1 zone. Our Flood Risk Management Team can provide further information.

3. Recommendations

The proposal is a large development within an open rural context with a loss of Grade II agricultural soils. There are no landscape or environmental designations within or adjacent to the proposed development site. The Landscape impact of this application is related to visual impact. On balance therefore with appropriate mitigation proposals and enhancement proposals to mitigate visual impacts, I have no objections to this application.

I would recommend the following landscape conditions:

3.1 No development shall commence on site until a landscape design has been submitted to and approved in writing by the Local Planning Authority. The details submitted should include:

Soft landscaping

a) A plan 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 showing the layout of proposed trees, hedgerow and grass areas. The plan is to show tree protection zones. The Landscape Proposals Plan PR119723-11E is also to show further native tree proposals adjacent to the proposed native hedgerow on the eastern boundary. This will be an extension of proposed trees to the NE corner of the site. Further native tree planting should also be proposed on the southern boundary parallel to the existing hedgerow.

c) A cross section drawing of the proposed screening mound (fill material) which includes the proposed buildings.

- 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. The fill areas are to be clearly indicated.
- b) The position, design and materials of all site enclosure.
- c) Vehicular layout and pedestrian areas
- d) Hard surfacing materials
- e) Minor structures (e.g. lighting, refuse areas, etc.) Night lighting proposals are to be as specified in the Landscape and Visual Impact Assessment Report, Dated July 2015, Page 13, Potential Light Pollution.
- f) Location of proposed functional services above and below ground (e.g. drainage, power, communications cables, etc. indicating routes, manholes, supports etc.)

Protection of trees and hedgerows

- a) Root Protection Areas for each existing and proposed hedgerow/tree/group of trees must be defined in accordance with BS3998:2010 – Tree Work – Recommendations, shown on the site layout drawing.
- b) Temporary protective fencing must be erected around each hedgerow, tree or group of trees. The fencing must be at least 1.25 meters high and erected to encompass the whole of the Root Protection Areas for each hedgerow/tree/groups of trees.
- c) No excavations, site works or trenching shall take place, no soil, waste or deleterious materials shall be deposited and no site huts, vehicles, machinery, fuel, construction materials or equipment shall be sited within the Root Protection Areas for any hedgerow/tree/group of trees.
- d) No burning of any materials shall take place within 10 meters of the furthest extent of any hedgerow or the crown spread of any tree/group of trees to be retained.
- e) There shall be no alteration of soil levels within the Root Protection Areas of any hedgerow/tree/group of trees to be retained.

3.2 Sustainable drainage proposals for all roof runoff water.

- a) The proposed attenuation pond should be clearly identified on the landscape plan/s and the embankment proposals of the pond should include appropriate native marginal planting.

3.3 A Landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

3.4 Landscape maintenance arrangements. No development shall take place until a scheme of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.”

4.5.1 Then further stated:-

“With reference to your below email I have checked the attached Landscape Proposals Plan, Drawing No PR119723-11E, Revision E.

These are my Landscape comments with reference to this latest Landscape Plan:

1. The linear poultry units now lie better in this linear hedgerow landscape.
2. Any cut material to be used as fill material on site should be shown on the Landscape Proposals Plan. Proposed grass cover for any proposed fill material areas should also be identified on the Landscape Plan.
3. All existing nearby hedgerows now have further appropriate native tree planting proposals.
4. The native woodland proposal to the south of the proposed poultry units now has appropriate native tree planting.
5. The proposed native tree planting on the eastern boundary is now satisfactory.
6. The proposed native mixed hedgerow on the eastern boundary is now satisfactory.
7. The existing native hedgerow running parallel and adjacent to the access road now has appropriate native tree proposals.

4.5.2 Based on the above landscape amendments on the Landscape Proposals Plan, Revision E, I can now approve this application.

The applicant should now provide:

1. A written landscape specification giving details of cultivation and other operations associated with plant and grass establishment.
2. A Landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas; &
3. Landscape maintenance arrangements. No development shall take place until a scheme of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.”

4.6 The Planning Ecologist originally stated:-

“Having looked at the supplied ecological report by Betts Ecology (dated October 2016) I am happy that this has addressed my colleagues previous concerns over Great Crested Newts and the off-site pond has been deemed as ‘poor’ habitat suitability index. The report has a good set of appropriate recommendations and I would suggest that these are included as conditions. I also note that Natural England have responded with ‘no objection’ as regards potential significant effects on the River Wye SAC/SSSI.

Nature Conservation – Protection/Mitigation

The recommendations (protection, mitigation and working methods) as identified in recommendations of the ecological report by Betts Ecology dated October 2016 shall be fully implemented as stated, unless otherwise agreed in writing by the planning authority.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy, the National Planning Policy Framework and the NERC Act 2006.

Nature Conservation – Tree & Hedgerow Protection

A detailed BS5837:2012 tree and hedgerow survey with an accompanying detailed protection plan and working method statements shall be undertaken, supplied and approved prior to any work commencing on site. The approved plan shall be fully implemented as stated, unless otherwise agreed in writing by the planning authority.

Reason: To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy, the National Planning Policy Framework and the NERC Act 2006.

Nature Conservation – Enhancement

Prior to commencement of the development, a habitat enhancement scheme integrated with the detailed landscape scheme covering the site and the offsite SuDS-Drainage pond should be submitted to and be approved in writing by the local planning authority, and the scheme shall be implemented as approved.

Reason: To ensure that all species are protected and habitats enhanced having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats, &c) Regulations 1994 (as amended) and Policy LD2 of the Herefordshire Local Plan – Core Strategy, the National Planning Policy Framework and the NERC Act 2006

Informative:

The enhancement plan should include details and locations of any proposed Biodiversity/Habitat enhancements as referred to in NPPF and HC Core Strategy. At a minimum we would be looking for proposals to enhance bat roosting and bird nesting to be incorporated in to the new buildings or nearby retained features as well as consideration for amphibian/reptile refugia, hedgehog houses and invertebrate/pollinator homes within the landscaping/boundary features. The plan should include full details of how the proposed final drainage/SuDS pond will be managed and enhanced. No external lighting should illuminate any of the enhancements or boundary features beyond any existing illumination levels and all lighting on the development should support the Dark Skies initiative.”

and further states:-

“The updated report for great crested newt assessment show a low risk for impact upon great crested newts. Therefore, I am happy to revert to the previous conclusions in comments by James Bisset for a number of conditions to be attached to any approval.

There will be no requirement at this time for any further Habitats Regulations Assessment for this development given the results of the ammonia assessment and Natural England’s comments.”

4.7 The Land Drainage advisor originally stated:-

“Introduction

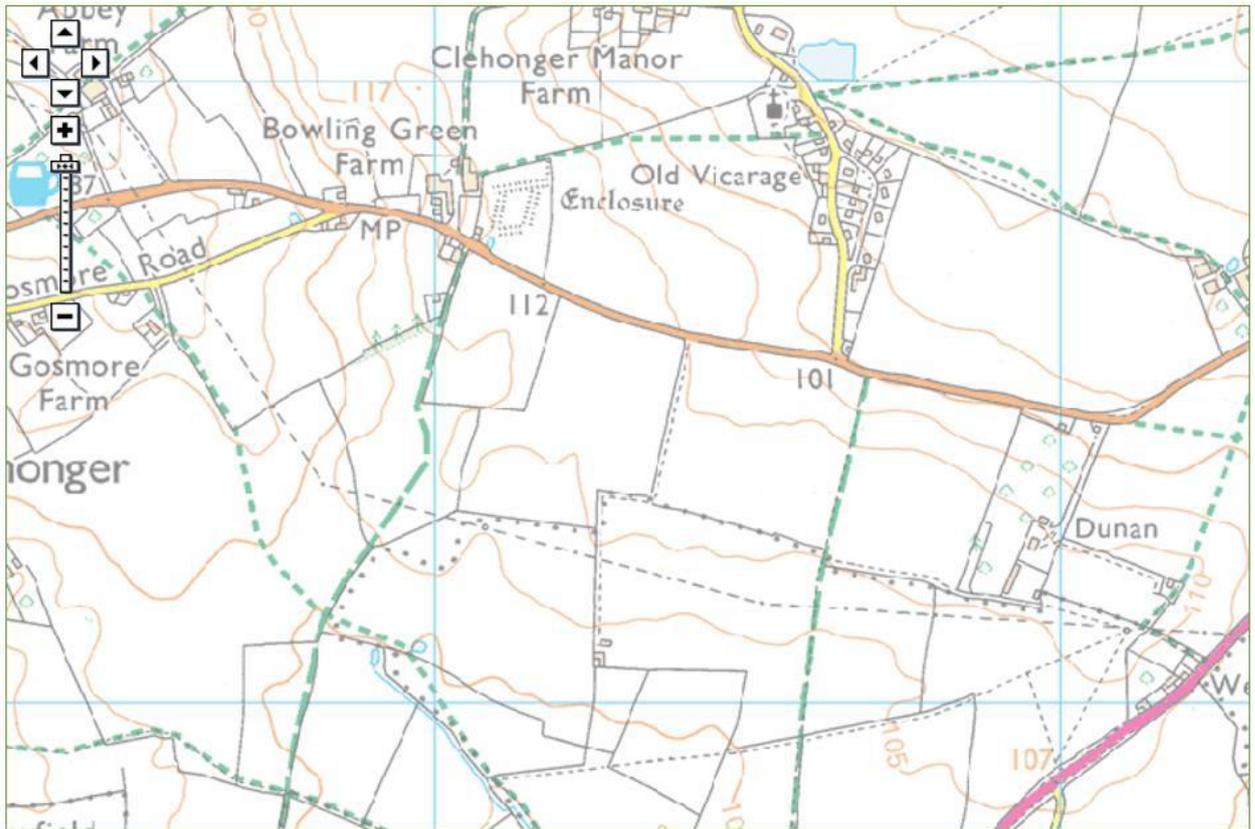
This response is in regard to flood risk and land drainage aspects

Our knowledge of the development proposals has been obtained from the following sources:

- Application for planning permission;
- Flood Risk Assessment (Ref: K10591/3 Rev 3 Oct 2016);
- Location Plan (Ref: HA2489901);
- Block Plan (Ref: HA2489902);
- Package Treatment Plant details;
- Design and Access Statement;
- Landscape Proposals (Ref: PRI19723-11D);

Site Location

Figure 1: Environment Agency Flood Map for Planning (Rivers and Sea), November 2016



Overview of the Proposal

The Applicant proposes the construction of 4 poultry units feed bins, service building, alterations to existing access, 5 parking spaces and associated development. The site covers an area of 15.6ha and is currently used for agricultural purposes. An unnamed watercourse runs approximately 163m to the southwest of the proposed development site and a pond is located at the most westerly point of the site. The topography of the site slopes down from approximately 111m AOD in the north to approximately 99m AOD in the south.

A former application P153121 was made by the applicant for this site in 2015. The Flood Risk Assessment submitted at this time addressed the respective risks of the site flooding.

The layout of the proposed development has altered since the original submission. The proposed new layout alters the original arrangement of the 4 poultry units and includes a service building with a generator. It also upgrades the existing site track with additional stone and scalpings, and widens the track. It proposes using tarmac on the first 20m at the entrance to the site, while the rest of the track would be constructed of permeable material. These changes would increase the total impermeable area of the site to 14,967 m²

As the flood risk aspects of the application were addressed under the former application, this review only considers Surface Water Drainage.

Surface Water Drainage

As part of the FRA the Applicant has provided details of the surface water drainage strategy that is proposed for the development.

The four poultry units are now all aligned on the same level, accordingly under the proposed arrangement, surface water runoff that descends down the field will spill onto the concrete upstand.

The development is estimated to introduce approximately 1.5ha of impermeable surface which could increase local flood risk. Of particular importance is the area of existing flood risk to the A465 downstream of the site, believed to be attributable to the culverting of an existing field drain, but which could be further exacerbated by uncontrolled runoff from the development.

In order to manage the increased surface water runoff from the development the Applicant has proposed to construct an attenuation pond to the west of the main development, with an outfall discharging into the adjacent field drain.

It is not clear if the field drain into which a connection is proposed is under the riparian ownership of the Applicant and it is recommended that this is confirmed. If a new connection is proposed then a Land Drainage Consent will be required.

The applicant has proposed utilising a 50mm diameter orifice plate to attenuate flow within the attenuation pond. A perforated riser pipe has also been proposed to mitigate the risk of blockage.

The Ramblers Association have objected to the proposal to utilise a small orifice at this location, as they consider that it will be likely that surface water flooding may occur which may affect an adjacent footpath. We concur with this comment and consider that efforts should be made to reduce the amount of storm water that may need to be stored in the pond during flood events.

In accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the Applicant must demonstrate that flows can be restricted as far as practical to the equivalent greenfield runoff rates for all events between the 1 in 1 year and 1 in 100 year return periods, including an appropriate allowance for the potential effects of climate change.

The Applicant is requested to consider altering the proposed design. Under the current proposals land drainage flows will spill onto the hardstanding. Accordingly provision needs to be made to ensure that land drainage flows can spill past the proposed development, thus isolating this flow from rainwater that strikes the hardstanding.

We support the concept of attenuating the surface water serving the hardstanding within an attenuation pond. However a 300mm freeboard is considered necessary, compliant with The SUDs Manual Section 23.4.

Roof water could be diverted via closed drains to a shallow tank on lower ground at the south east corner of the proposed building. The roof water would be relatively clean and so it should be possible to attenuate flows via a small orifice. Discharge of this flow would need to be considered, it should be noted that if the flows replicate greenfield rates then local discharge may prove possible.

We note that the attenuated volume for the hardstanding runoff will be lower than had originally been proposed. We would accept the use of a 50mm orifice with an oversized perforated riser pipe, subject to the provision of calculations to demonstrate that for the entire development that there is no increased risk of flooding to the site or downstream of the site as a result of

development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change. The design details for the orifice and perforated pipe need to be presented for review, this feature should be designed to facilitate easy cleansing.

A trial pit to determine the level of groundwater in the vicinity of the proposed attenuation pond remains to be completed. Ground levels in the vicinity of the proposed attenuation pond are also required.

The design features drainage channels graded at 1/100. As the site is in excess of 200m long, the receiving conveyance channel at the west of the plot will be around 2.5m deep. The Applicant is requested to clarify which type of drain is proposed at this location.

The Applicant has proposed installing soakaway trenches alongside the access tracks. We confirm our acceptance of this proposal, as although the soakage rates are low, the areas to drain are also minimal in comparison with the main area of the site. However as the access roads are sloped we consider that the base of the respective soakaway trenches should be horizontal and should be built in an intermittent fashion to prevent the movement of water down the trench.

It is noted that it is proposed that the first 20m of the access road shall be bituminous. The paved section needs to be inclined with a cross fall to prevent rainwater ponding behind the bituminous material and spilling onto the highway.

The Applicant states that foul and surface water will be separated in order to prevent contamination of the watercourse. The inside of the proposed broiler buildings will be sealed and drained to a containment tank prior to being periodically emptied by a vacuum tanker. The concrete apron will be enclosed by a catchment drain with a switch system to allow contaminated water during the cleanout operation to also be drained to the containment tank. This arrangement is acceptable.

Foul Water Drainage

The Applicant has stated that a 'Package Treatment Plant' will be used to manage foul water.

In accordance with Policy SD4 of the Core Strategy, the Applicant should provide a foul water drainage strategy showing how it will be managed. Foul water drainage must be separated from the surface water drainage. The Applicant should provide evidence that contaminated water will not get into the surface water drainage system, nearby watercourse and ponds.

The Applicant is requested to clarify how the package treatment works will discharge flows. Calculations should be presented demonstrating compliance with the General Binding Rules, based on guidance contained in British Water 'Flows and Loads'.

In accordance with Building Regulations Part H Drainage and Waste Disposal:

- Septic tanks and cesspools should be located a minimum of 7m from habitable buildings;
- If infiltration is proposed, the discharge from any septic tank should be located a minimum of 10m away from watercourses and 15m away from buildings.
- If infiltration is proposed, the discharge from any package treatment plant should be located a minimum of 10m away from watercourses and 10m away from buildings.

The EA will not usually accept the discharge from any septic tank within Zone 1 of a groundwater SPZ or within 50m of a groundwater abstraction point.

Overall Comment

The proposed surface water drainage strategy is not considered acceptable. However a revised submission could be made to address the concerns that have been raised.

We recommend that the following information is provided prior to the Council granting planning permission for this development:

- Provision of a revised drainage strategy that demonstrates that opportunities for the use of SUDS features have been maximised, where possible, including use of on-ground conveyance and storage features;
- A revised surface water drainage strategy with supporting calculations that demonstrates there will be no surface water flooding up to the 1 in 30 year event, and no increased risk of flooding as a result of development between the 1 in 1 year event and up to the 1 in 100 year event and allowing for the potential effects of climate change;
- Evidence that the Applicant is providing sufficient on-site attenuation storage to ensure that site-generated surface water runoff is controlled and limited to agreed discharge rates for all storm events up to and including the 1 in 100 year rainfall event, with an appropriate increase in rainfall intensity to allow for the effects of future climate change;
- Confirmation of groundwater levels to demonstrate that the proposed attenuation pond will be able to store runoff from the design storm events;
- Provision of ground levels in the vicinity of the proposed attenuation pond;
- A detailed foul water drainage strategy showing how foul water from the proposed package treatment works will be disposed of;
- Discharge of new outfalls discharging surface water to an ordinary watercourse will require Ordinary Watercourse Consent from Herefordshire Council prior to construction”

and then further stated:-

“Introduction

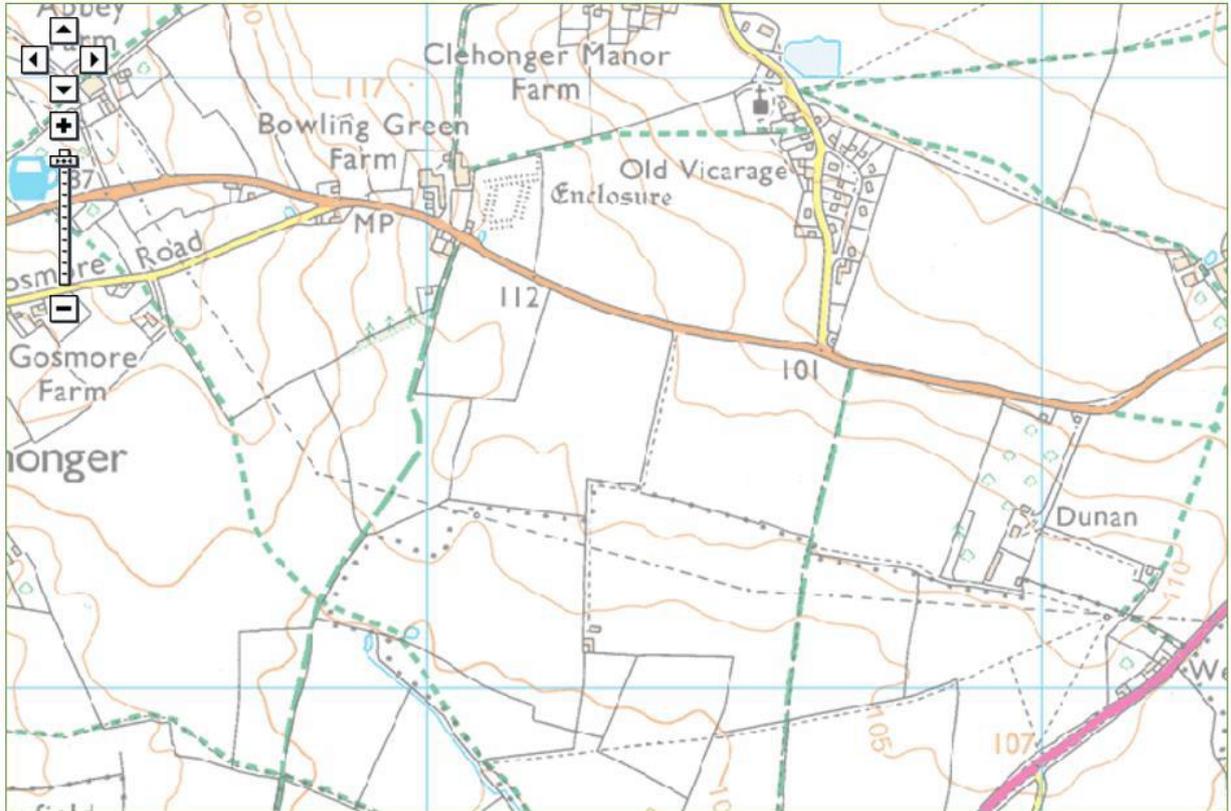
This response is in regard to flood risk and land drainage aspects.

Our knowledge of the development proposals has been obtained from the following sources:

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- Design and Access Statement;
- Landscape Proposals (Ref:PRI19723-11D);

Site Location

Figure 1: Environment Agency Flood Map for Planning (Rivers and Sea), November 2016



Overview of the Proposal

The Applicant proposes the construction of 4 poultry units feed bins, service building, alterations to existing access, 5 parking spaces and associated development. The site covers an area of 15.6ha and is currently used for agricultural purposes. An unnamed watercourse runs approx. 163m to the southwest of the proposed development site and a pond is located at the most westerly point of the site. The topography of the site slopes down from approx. 111m AOD in the north to approx. 99m AOD in the south.

A former application P153121 was made by the applicant for this site in 2015. The Flood Risk Assessment submitted at this time addressed the respective risks of the site flooding.

The layout of the proposed development has altered since the original submission. The proposed new layout alters the original arrangement of the 4 poultry units and includes a service building with a generator. It also upgrades the existing site track with additional stone and scalpings, and widens the track. It proposes using tarmac on the first 20 m at the entrance to the site, while the rest of the track would be constructed of permeable material. These changes would increase the total impermeable area of the site to 14,967 m²

As the flood risk aspects of the application were addressed under the former application, this review only considers Surface Water Drainage.

Surface Water Drainage

As part of the FRA the Applicant has provided details of the surface water drainage strategy that is proposed for the development.

The four poultry units are now all aligned on the same level, accordingly under the proposed arrangement, surface water runoff that descends down the field and track will spill onto the concrete upstand.

The development is estimated to introduce approximately 1.5ha of impermeable surface which could increase local flood risk. Of particular importance is the area of existing flood risk to the A465 downstream of the site, believed to be attributable to the culverting of an existing field drain, but which could be further exacerbated by uncontrolled runoff from the development.

In order to manage the increased surface water runoff from the development the Applicant has proposed to construct an attenuation pond to the west of the main development, with an outfall discharging into the adjacent field drain.

It is not clear if the field drain into which a connection is proposed is under the ownership of the Applicant. We assume that because the drain serves a ditch on the applicants land, the drain was laid across third party land to a receiving ditch by the existing land owner or his/her predecessor. The applicant will need to clarify how they would intend to ensure the free passage of water along the field drain in the event of a blockage.

The applicant has proposed utilising a 98mm diameter hydrobrake to attenuate flow within the attenuation pond. A perforated riser pipe has also been proposed to mitigate the risk of blockage, details have now been provided.

The Ramblers Association originally objected to the proposal to utilise a small orifice at this location, as they considered that it will be likely that surface water flooding may occur which may affect an adjacent footpath. We consider that the revised proposal should mitigate the risk of blockages.

The applicant has demonstrated that it would be possible to attenuate flow from a 100 year + 40% climate change storm within the proposed basin and swale. Simulations have also been provided for 2 year and 30 year storms (with climate change), these indicate that only shallow water levels are predicted. The 40% climate change scenario relates to perceived changes over the next century.

We recognise that the attenuation has been designed for excessive storms in accordance with the Non-Technical Standards for Sustainable Drainage Systems. We note that the SuDS have been designed to accommodate runoff from the concrete hardstanding and buildings.

Under the current scenario, the land is drained towards receiving ditches. The ground will absorb some rainwater during ordinary rainfall. With the proposed swale and attenuation basin, land drainage water from higher ground that has not been absorbed by the ground will spill into the new system. In an acute rainstorm, the excess water would fill the basin quicker and the overflow may come into operation. However as the SuDS have been designed for storms that have a low probability of occurring, the calculations indicate that there will be sufficient capacity to retain the inflows from land drainage within the swale and basin. Consequently the risk of increased flooding at the A465 culvert is regarded as low.

We note that a 150mm freeboard has been proposed for the basin. The freeboard proposed for the swale is effectively zero (reported as 5mm, item 4.10). We consider that some localised ground raising will be required to ensure that the swale does not overtop. Furthermore, the guidance we follow suggests designing for a 300mm freeboard, compliant with The SUDs

Manual Section 23.4. It should be possible to spread excavated material to create a permanent freeboard measuring 150mm to 300mm, without adversely affecting field drainage.

We recommend that the attenuation basin is designed to allow soakage during moderate rainstorms, so the pond should not be lined. Ground levels in the vicinity of the proposed attenuation pond are required.

The Applicant has proposed installing soakaway trenches alongside the access tracks. We confirm our acceptance of this proposal, as although the soakage rates are low, the areas to drain are also minimal in comparison with the main area of the site. However as the access roads are sloped we consider that the base of the respective soakaway trenches should be horizontal and should be built in an intermittent fashion to prevent the movement of water down the trench.

It is noted that it is proposed that the first 20m of the access road shall be bituminous. The paved section needs to be inclined with a cross fall to prevent rainwater ponding behind the bituminous material and spilling onto the highway.

The Applicant states that foul and surface water will be separated in order to prevent contamination of the watercourse. The inside of the proposed broiler buildings will be sealed and drained to a containment tank prior to being periodically emptied by a vacuum tanker. The concrete apron will be enclosed by a catchment drain with a switch system to allow contaminated water during the cleanout operation to also be drained to the containment tank. This arrangement is acceptable.

Foul Water Drainage

The Applicant has stated that a 'Package Treatment Plant' will be used to manage foul water.

In accordance with Policy SD4 of the Core Strategy, the Applicant should provide a foul water drainage strategy showing how it will be managed. Foul water drainage must be separated from the surface water drainage. The Applicant should provide evidence that contaminated water will not get into the surface water drainage system, nearby watercourse and ponds.

The Applicant is requested to clarify how the package treatment works will discharge flows. Calculations should be presented demonstrating compliance with the General Binding Rules, based on guidance contained in British Water 'Flows and Loads'.

In accordance with Building Regulations Part H Drainage and Waste Disposal:

- Septic tanks and cesspools should be located a minimum of 7m from habitable buildings;
- If infiltration is proposed, the discharge from any septic tank should be located a minimum of 10m away from watercourses and 15m away from buildings.
- If infiltration is proposed, the discharge from any package treatment plant should be located a minimum of 10m away from watercourses and 10m away from buildings.

The EA will not usually accept the discharge from any septic tank within Zone 1 of a groundwater SPZ or within 50m of a groundwater abstraction point.

Overall Comment

Subject to the provision of the following information, the proposed surface water drainage strategy is considered acceptable.

- The applicant should clarify how they would intend to ensure the free passage of water along the field drain in the event of a blockage.

We recommend that the following information can be provided as Planning Conditions:

- Provision of a plan that identifies levels identified by topographical survey in the vicinity of the proposed pond and those areas of the swale affected by high water levels, with proposed ground re-profiling to achieve the required freeboard. Cross sections of the proposed pond are also required to facilitate construction.
- A detailed foul water drainage strategy showing how foul water from the proposed package treatment works will be disposed of.”

4.8 The Engineering Manager states:-

“COMMENTS:-

Visibility splays – The previous application stated a visibility splay of 160m. The visibility from the proposed site has been assessed as part of this application. The recorded 85th%tile speed equates to 124m in a westerly direction and 129m in an easterly direction using MfS2 2.0 second desirable SSD (Sight stopping distance). The proposals are to remove 39m of hedgerow to the east of the access with 40m of hedge re-alignment, this meets with an on site assessment. The proposed changes to the hedgerow to the west equates to 13m removal and 17.6m of realignment, having reviewed the situation on site the visibility splay should equate to have 20m of hedge removal adjacent to the site and 20m of hedgerow realignment.

Forward visibility – The forward visibility should equate to the SSD and therefore the required distance is 124m to the west. The number of HGV along this section of the B4349 equates to 9% of the total number of vehicles. The previous application showed a distance of 160m visibility splay, having reviewed the situation on site the 160m forward visibility could not be met due to the hedgerow alignment. Whilst the proposed forward visibility meets with the SSD, to increase the forward visibility further then approximately 40 metres of hedgerow on the northern side could be realigned to allow for turning vehicles to be seen for a greater distance.

Other Poultry units in the area-. Since this applications submission, an application for 8 poultry units has been received from a site located along Stone Street in Madley. The bowling green site’s movements have not been assessed with the proposal of the 8 poultry units at Stone Street therefore the full impact of the additional movements has not been fully assessed. Concerns are raised regarding the management of HGVs as the Bowling Green application and the Stone Street application would not be covered by the same HGV management plan. The HGVs would be traveling along the same highways network to the same location, therefore increasing the potential conflict and increased vehicle movements.

Movements – The submitted speed and volume survey shows that over a 24 hour period there is 300 HGV movements (OGV1 and OVG2) along the B4349; this equates to an average of 12.5 vehicles per hour. The busiest days (days 32 and 38) would equate to an additional 20/36 HGV movements over the 11 hour period. The submitted document states that there will only be an increase in HGV movements on the busiest day of 2 HGVs, however this appears to be based on a 24 hour period and not the proposed 11 hour cycle the poultry units would be using. The proposals would equate to an additional 4 HGV movements per hour to and from the site (2 in, 2 out).

Chicken manure – Whilst at present the proposals are to remove the chicken manure to a third party site, this could change with farm economics and would result in higher movements between Bowling Green farm and the proposed site, therefore increasing the number of right hand turning movements undertaken by slower moving vehicles into the site.

It should be noted that moving the access towards to the east of the proposed/existing access would not improve the visibility from the access, as the carriageway incline prevents vehicles from being fully seen in both directions. The access would also be closer to the junction of the C1200 and B4349, and the accident cluster site associated with this junction.

Turning on site – The submitted plans do not show a turning area for the HGVs. If the HGVs are to drive around the development then a vehicle tracking plan should be shown.

Without the additional information I have no other option than to recommend refusal on Highway grounds due to the potential conflict with normal use of the highway by car, bus or other modes of transport and the increased movements of both poultry units sites, therefore there is potential for significant HGV movements which may compromise highway safety and increase collisions.”

and then further stated:-

“The previous consultation regarding this site raised a number of issues.

1. Visibility splays from the access - The submitted plans have altered the visibility splays to meet the requirement stated.
2. Forward visibility to the access - the hedgerow on the northern side of the B4349 is to be realigned to accommodate the 160m forward visibility. The changes to the hedgerow should be maintained to prevent the forward visibility reducing due to the growth of the hedgerow.
3. Other Movements of poultry units in the area – The impact on the highways network has been assessed with other developments in the area and has recorded that the impact of the other site with the Bowling Green site as negligible. As previously stated the proposed movements from the Bowling Green site equates to 4 HGV movements per hour (2 in, 2 out).
4. Chicken manure – waste to be taken off site by third party, current provision of farm brings in turkey manure. To reduce the number of vehicles accessing the highway waste could be spread on the fields south of the B4349.
5. Turning on site – the submitted documents now shows that the site can accommodate the turning of an HGV.

If minded to approve please condition as follows: -

CAB – as showing on drawing number 17480-02

Condition the realignment of the northern hedgerow as shown on drawing number 17480-02

CAD 32M

CAE –Width of access should be able to fully accommodate a 2 HGV (in and out movements, which do not restrict visibility)

CAH, CAL, CAT,

I11, I09, I45, I05, I47, I35.

Condition the Construction management plan.”

4.9 The Environmental Health Section originally stated:-

“The most likely causes of concern for neighbours from operational activities associated with this type of development are:-

1. Odour, directly from the poultry houses which will vary during a growing cycle but is particularly elevated during harvesting and cleaning operations and can be a problem associated with the storage, disposal and associated manure spreading activities. There were also concerns with this application because of the cumulative effect due to a nearby free range chicken houses.

2. Noise, from ventilation systems, deliveries and harvesting.
3. Air Quality - Dust /particulates, including bio-aerosols.
4. Insect and rodent infestations.
5. Nuisance from artificial lighting

The application has addressed these matters in the following manner:

- A Dispersion Modelling Study of the impact of Odour from the proposal and Free Range Chicken enterprise at the Bowling Green by Steve Smith, AS Modelling & Data Ltd. dated 4th October 2016 has been produced in support of the application. This report predicts 'that at all the discrete receptors considered, the odour exposure would be below the Environment Agency's benchmark of a 98th percentile hourly mean of 3.0 ouE/m³ (ouE/m³ is the recognised unit used to express the level of odour and is referred to as an odour unit and this level would only be exceeded for 2% of time) as being acceptable in this situation. Elevated levels that might be expected during the clearing of the houses have also been taken into account although there are no recognised standards and these episodes would be of short duration. See sections 3.1, 3.5.1 and 5 of the report. The Amenity section of the Environmental Statement advises that manure from the development will be exported and taken to third party land and will not be stored on the site and section 3 of the Non Technical Summary advises that all dead birds will be collected daily and stored in a sealed carcass bin for disposal by a licensed fellmonger. These are therefore not expected to be a source of nuisance.
- A noise impact assessment of predicted noise levels, report dated the 18th October 2016, has been undertaken by Matrix Acoustic Design Consultants and submitted with the application. The report concludes that the fan noise and transport noise will not result in an adverse noise impact. I have given this report due consideration and I am satisfied with its conclusions.
- The application addresses concerns as regards particulates within the amenity section of the Environmental Statement. To elaborate the DEFRA research that has shown that levels fall to background levels at distances of 100m. DEFRA research project AC0104 report concludes that 'it represents one of the most comprehensive studies to quantify PM (small particulate) emissions from poultry housing to date and that based on it's findings that whilst concentrations in poultry buildings represent a risk to workers that the levels emitted are sufficiently dilute over a short distance from the building so as not to pose a risk to those living in the vicinity of the poultry houses. Small particulate matter (PM10) were found to be reduced to background levels within 100m from the poultry houses. It is recognised that fine particulate matter (PM2.5) can travel long distances but the source cannot always be readily identified. Local Air quality standards for particulates might be exceeded due to emissions from poultry houses however this is of concern where large growing operations are located at very close proximity to receptors i.e. dwellings. Government Guidance LAQM.TG(09) provided screening criteria for local authorities to identify sites which would require further detailed assessment. This required them to identify farms housing in excess of 400,000 birds if mechanically ventilated, 200,000 birds if naturally ventilated and 100,000 birds for any turkey unit if they were within 100m of a residence. DEFRA commissioned a review of Air Quality impacts Resulting from Particulate Emissions from Poultry Farms published 2012 concluded that the local air quality objectives for PM10 should not be exceeded for farms below this screening criteria, however that monitoring studies also show that the criteria may be overly conservative. It also provided comment for further consideration as to how this assessment might be improved. Recently published guidance (T16) provides a calculation based on the number of birds and distance from receptor. This

calculation is not considered to be necessary where the above criteria is not exceeded, however the calculation indicates that there would be no significant risk of exceeding the national; 24hr mean PM10, objective as a consequence of this proposal. Any impact due to this proposal would be minimal. This proposal therefore does not raise concerns as regards local air quality.

- The application states that as this proposal will employ stringent controls to prevent rodents and fly infestations. Experience of this type of development indicates that these are not of concern.
- The location and the proposed lighting does not give rise to concern that light nuisance may be caused.

This proposal will fall within the scope of the environmental permitting legislation, which considers all forms of pollution to air, land and water, including odour, noise, and pest control. It therefore requires a permit from the Environment Agency to operate. The Agency is the appointed body recognised as being the appropriate competent experts. The legislation covering the permitting regime allows for a refusal to grant a permit, should the applicant not be able to demonstrate that the process can operate without causing undue harm. Also once a permit has been granted it is an offence not to comply with its requirements which can be varied if necessary or the permit may be suspended and/or withdrawn.

Any problems that might be caused by the construction of the development is likely to be short lived and whilst not being subject to the afore mentioned permitting regime it is subject to other environmental legislation including controls as provided by the Control of Pollution Act 1974 and the Environmental Protection Act 1990 available to the Local Authority.

In conclusion the supporting information demonstrates that problems should not be caused by odour noise or other nuisance and the proposal does not give rise to concerns that local air quality standards might be exceeded.

Finally if it is minded to grant permission I would suggest that conditions might be considered as regards:

- Restricting the use of the housing to a maximum of 8 rearing /crop cycles in any 12 month period.so as to reflect the assumptions made in the supporting documentation.
- That manure/ litter not to be stored on site and removed in covered vehicles. (The Environmental permit will not control off site activities.)

I trust this is of assistance to you, however should you require any further advice or clarification of the above please do not hesitate to contact me.”

then further stated:-

“ODOUR IMPACT

- Whilst there is an element of uncertainty associated with all modelling, the model used is an accepted tool and there is no reason to suspect that the Dispersion Modelling is inherently unreliable. The consultant appears to suitably qualified and experienced. His work on another recent application for an intensive poultry was subject to a review, including independent modelling commissioned by the Council. This showed his work to be reliable, indeed a little conservative in that his modelling indicated higher odour levels at a number of properties than those reported by the consultant instructed by the Council.
- The report clearly concludes that the Environment Agency’s benchmark level for this type of development will not be exceeded.

- There are no recipients predicted to be subject to exceedances of the 98th percentile benchmark hourly mean of 30µE/M3 (the Environment Agency's benchmark).
- The odour modelling has taken into account increased odour levels as would be expected during clean out of the houses.
- The existence of nuisance depends on a number of factors including duration, intensity/nature of malodorous events. It is my experience that due to the separation distance of this proposal from neighbours it is unlikely to be the cause of 'nuisance'. This proposal will however be subject to the controls imposed by an Environmental Permit not the Statutory Nuisance regulatory regime available to the Local Authority in situations where nuisance arises due to activities not regulated by Environmental Permits. I would refer you to my comments in my initial consultation response as regards the powers available to the Agency as regards Environmental Permits.
- The requirements as regards odour management at the poultry unit are addressed by the above mentioned Environmental Permit. Odour nuisance arising from the spreading of poultry litter on other land is subject to the controls provided to the appropriate local authority by Part 3 of the Environmental Protection Act 1990. Advice as to how odour may be controlled during manure spreading is available in the DEFRA publication – Protecting our Water, Soil and Air, A Code of Good Agricultural Practice for Farmers, Growers and Land Managers.

MANURE MANAGEMENT

- The use of organic manures such as poultry litter is considered good practice and such manures a valuable asset. It is common practice for farmers to buy/bring in such manures to fertilise their land when they do not produce sufficient for their own requirements. The spreading of the manures is subject to appropriate national regulatory controls which can be more stringent in certain areas such as Nitrate Vulnerable Zones. DEFRA provide advice in the Guide to Good Agricultural Practice and although this code is not mandatory, should pollution occur due to non compliance with its advice then any defence against legal action may be jeopardised. The Agency's consultation response makes reference to this code.

Advice on how to best use manures is also provided in Government publications such as the Fertiliser Manual.

NOISE IMPACT ASSESSMENT

- The principal assessment method in this type of situation is BS 4142:2014-Methods for rating and assessing industrial and commercial sound. The methodology prescribed requires that the specific sound, in this case sound generated by the likely activities at the poultry houses is compared to existing background sound levels. The greater the excess of the specific sound, when adjusted for acoustic features – the rating level, over backgrounds the more likely an adverse impact can be expected. The use of microphones on tripods during baseline/background monitoring is to provide information on typical levels without the development. If this monitoring is done close to a noise source such as a road then background levels are likely to be elevated and the assessment more favourable.

DUST/PARTICULATES

- I am cognisant of the USA and German reports referred to. My response is based on the latest national advice for Local Air Quality Management which is identified in my consultation response.
- The current advice from the Health Protection Agency and Herefordshire's Consultant in Public Health is that "Intensive farms may cause pollution but provided they comply with

modern regulatory requirements any pollutants to air, water and land are unlikely to cause serious or lasting ill health in local communities”

- Regard as to the need for filtration systems is part of the Environmental Permitting process.”

and then further state:-

“I would refer you to memorandum dated 2 January 2017. The relocation of the 2 southern poultry houses will have minimal effect on the matters considered and therefore I do not wish to make any further comment.”

- 4.10 The Principal Building Conservation Officer is satisfied that there would not be any adverse impact upon the setting of any heritage assets in the locality, including All Saints Church.

5. Representations

- 5.1 Allensmore Parish Council object to the proposed development. They state:-

“The Allensmore Parish Council have heard representations from the public on the planning application 163391 for broiler rearing buildings at Bowling Green Farm.

The Parish Council wish to object to the application because of the following, non exhaustive, factors:

1) **Concern that flooding issues would be exacerbated**

Allensmore already experiences problems from flooding after periods of persistent rainfall. The watercourse into which water from the attenuation pond is proposed to discharge has flooded in recent years including in the Goosepool area and also further downstream where the watercourse crosses Church Road, Allensmore. This flooding has caused serious difficulties accessing the nearby properties and to vehicles and others using Church Road, Allensmore. Whilst the attenuation pond is designed to moderate the rate of water discharge (assuming it is properly maintained and works exactly as intended), it is also designed to ensure that all the rain from the very considerable roof area of these sheds will discharge into this watercourse. Given that the flooding experienced in these areas has persisted for days, then the continuing discharge from the pond means that a considerable additional volume of water is added to compound the problem of flooding. This means the flooding would be deeper and last for longer. The fact that this water will, to a degree, be contaminated by the dust and debris discharged from the fans and deposited on the roof of the shed to be washed off by the rain, further aggravates this issue. The Parish Council also wish to highlight this concern on behalf of the residents who may be unaware of this potential impact from a development on the other side of the parish.

- 2) The proposal will inevitably lead to an **increase in large Heavy Goods Vehicle movements** on relatively narrow and busy country lanes and roads. The Parish Council has noted the stretch of road between the Bowling Green Farm and Dunan as having had a higher than average propensity for accidents to occur. The proposal to widen the splay has been considered, however, it is not believed that this will assist greatly in minimising the potential risks to road users.

- 3) **The issue of odour and toxic content** of air ejected from the units containing spores, faecal matter, bacteria, pathogens and dust particles (list not exhaustive), on a continuous basis, and with periods of high level nuisance likely due to strong effluent smells when the buildings are cleared. Concern over increased levels of odour nuisance from the broiler shed clear out process and consequent effects to human health in terms of breathing, medical problems and lung conditions.

- 4) **Impact of odour, noise and heavy goods vehicle movements** on local businesses. Impact on quality of life for local residents. Issues for tourism, walking and enjoyment of the countryside due to noxious and unpleasant smells emanating from the units. Proximity to residences, and relatively short distance from local schools, and the fact that odours and toxins carry on the wind over a long distance.
- 5) **Concern regarding potential leach out and overspill from attenuation pond**, and during wash down processes, leading to increased levels of contamination and phosphates in the water course and local river tributaries. Broiler units are a known and proven generator of high levels of phosphates from foul water run off. Particular concern was raised over the possible contamination, by faecal matter and pathogens etc, of local bore hole water supplies, which, once contaminated, will be very difficult to restore.
- 6) It is noted that there has been a change of position of the units in the latest application version, to attempt to facilitate better concealment, but the fact that the area covers the same acreage as two football pitches and will still be visible from a nearby bridle path, and a footpath, plus other vantage points mean that the objection via landscape amenity stands. The revised plan has also moved the houses closer to certain residences and this may impact on the enjoyment of their properties.”

5.2 Clehonger Parish Council object to the proposed development. They state:-

“The Clehonger Parish Council have heard representation from the public on the planning application 163391 for broiler rearing buildings at Bowling Green Farm.

The Parish Council wish to object to the application because of the following, non exhaustive, factors:

- 1) An increase in large Heavy Goods Vehicle movements on relatively narrow and busy country lanes and roads without pavements. The road concerns were raised about the recent history of accidents between Bowling Green farm and Dunan, and potential for increased risk of collisions between these with HGVs turning right towards Hereford into fast approaching traffic from the Clehonger direction with limited viewing ability. The Parish Council has noted the reporting of a higher than average propensity for accidents to occur, on the particular stretch of road in question, and, whilst the mitigating splay proposal is acknowledged, it is not believed that this will assist greatly in minimising the potential risks to road users.
- 2) Issue of odour and toxic content of air ejected from the units containing spores, faecal matter, bacteria, pathogens and dust particles (list not exhaustive), on a continuous basis, and with periods of high level nuisance likely due to strong effluent smells when the buildings are cleared. Concern over increased levels of odour nuisance from the broiler shed clear out process and consequent effects to human health in terms of breathing and lung conditions.
- 3) Impact of odour, noise and heavy goods vehicle movements on local businesses. Impact on quality of life for local residents. Issues for tourism, walking and enjoyment of the countryside due to noxious and unpleasant smells emanating from the units.
- 4) Concern regarding potential leach out and overspill from attenuation pond, and during wash down processes, leading to increased levels of contamination and phosphates in the water course and local river tributaries. Broiler units are a known and proven generator of high levels of phosphates from foul water run off.

- 5) Concern over flooding issues from larger building footprint in an area prone to flooding leaving less available drainage capacity. It is noted that there had been a change of orientation of the units, to attempt to facilitate better concealment, but the fact that the area covers the same acreage as two football pitches and will still be visible from a nearby bridle path, and a footpath, plus other vantage points mean that the objection via landscape amenity stands. The presence of the units is likely to reduce amenity for residents, walkers and tourists. The area where the watercourse meets the footpath by Goosepool to the A465 floods even though the culvert has been cleared, with waters backing up both sides of this main road. Any additional water, plus reduced soak-away, could likely exacerbate the flood risk.”

5.3 133 letters of objection have been received as a consequence of the statutory publicity process. These raise a significant number of issues, which are summarised below:-

- This type of factory-style intensive livestock rearing is unsustainable on many fronts. They create excessive food miles, including via the importation of foodstuffs and processing of the birds.
- The production of this form of poultry meat is dependent on the widespread use of antibiotics (to prevent the transmission of disease within the flock) and there is increasing evidence that this is transmitting a consequent anti-biotic resistance among humans.
- Due to the emissions to air, land and water, such factories blight adjoining land for future development.
- Cleaning operations use powerful chemicals, which will transmit to the water environment.
- This form of farming is unethical, with birds reared indoors, in cramped conditions. The production of low-quality cheap chicken, should not be at the expense of animal welfare.
- It is anticipated that shorter crop cycles than those predicted in the application will be possible in the very near future. This would serve to make many of the accompanying reports e.g. odour, noise and traffic, completely unreliable as they would grossly underestimate the adverse impacts associated with the proposal.
- There is little consideration of the adverse impacts the proposal will have on the health and wellbeing of the local community. It is acknowledged that tourism is a larger contributor to the Herefordshire economy than agriculture and yet these broiler units, which serve little economic purpose beyond the interests of the farmer, are likely to have a disproportionate impact on local tourism businesses.
- Dwellings locally are served by a private water supply and concern is expressed that the proposal will contaminate groundwater and thus these supplies.
- The erection of these units on unspoilt, agriculturally productive land cannot be regarded as being ‘in keeping’ with the character of the landscape.
- The development is enormous and will blight views from the network of local footpaths and bridleways. The proposed landscaping is not sufficient, will take years to mature and is deciduous.
- Significant concern is expressed in relation to emissions to air, via uncapped ridge-mounted fans that are apparently without filters. There is a significant body of evidence originating overseas, which links respiratory conditions in humans with exposure to high levels of dust and other airborne particulates.
- In this respect, the application does not appear to give sufficient credence to the potential adverse impacts on human health, with particular emphasis on the risks to children attending the local primary school.
- There are many examples of the poultry farms expanding after the initial grant of planning permission. What assurance is there that this won’t happen here?
- The plans for manure management are unclear. Is there sufficient land upon which to spread the chicken litter, over which fields and at what time of year? Large tumps of chicken litter in fields adjoining residential property present their own risks to health and amenity, including by way of malodour and pests.
- There are concerns that the exportation of manure from site will result in unregulated use by others, which the potential to overload fields, resulting in pollution of the water environment.

Further information on the subject of this report is available from Mr Roland Close on 01432 261803

- The applicant's own report recognises the impact that this inappropriate factory-style development will have. It does not fit into the landscape or agricultural environment. It is isolated and there are no other buildings of such scale in close proximity.
- Mildly contaminated roof water will discharge to the attenuation pond, which will outfall to a ditch, local watercourse and eventually the R.Wye SAC/SSSI. This is prejudicial to water quality, which is already, in some instances, failing to meet EU quality targets.
- The application does not promote any screen planting from the south or westerly aspects.
- These installations have an enormous prejudicial impact on the health and wellbeing of local communities. They blight the countryside, increase traffic congestion and pollution and danger to other road users.
- Herefordshire is a beautiful county, but fast getting an (unwelcome) reputation as the home to the greatest density of intensive poultry farms. When is enough, enough?
- The access is onto a busy and fast-flowing stretch of the B4349. Evidence suggests that accidents and near misses are very common. The junction with Church Road is a blackspot. Visibility on egress towards Clehonger is limited.
- It is common for vehicles making the right turn into Church Road to be subject to impatient motorists overtaking. Adding the considerable slow-moving HGV manoeuvres is only liable to make a bad situation worse.
- There is little assessment of the impact of airborne emissions on wildlife. There is evidence to suggest that native species planting is not compatible with ammonia dispositions, which is relevant in the context of the proposed landscaping.
- The landscape report understates the value of the landscape and does not address the issue of the loss of agriculturally productive land. The viewpoints assessed are not wholly representative; some mid-distance views are not assessed.
- The submitted noise assessment overstates the distance to the nearest dwellings.
- Constant low-level noise associated with the roof-mounted fans is not given sufficient credence in the reports.
- The employment benefits of these schemes are not obvious.
- There are at least 12 other broiler farms within a 5 mile radius of the site, including sites at Madley (Stoney Street) and Kingstone (Arkstone). There are 90 in the county as a whole. The cumulative impacts of these in terms of impacts on human health, the air and water environments and traffic is not known or accounted for.
- The odour associated with this form of 'farming' is obnoxious. Odour modelling cannot replicate the impacts experienced in real life. It is well known that those living near to existing farms will frequently suffer from unpleasant odour; which is particularly prevalent during the clean-out operations.
- The Council has a paucity of policy in relation to such developments.
- There are moral and ethical objections to this method of food production. It is not unlikely that the demand for food produced in this manner will reduce in the future. Do we need more units for this supposed unmet demand?
- Developments such as this will mean that increasingly the countryside will lose its intrinsic appeal. The landscape is a resource that should be enjoyed by all, not prejudiced for cheap food production.
- The number and severity of adverse impacts arising outweigh any benefits arising.
- The application has not adequately assessed the impact on Old Clehonger and its built heritage; specifically All Saints Church.
- Old Clehonger is also in line with the prevailing winds and residents will be liable to suffer from the odour impacts and any airborne particulates.
- Taken with the recent large-scale approvals for housing in Clehonger, Kingstone and Madley and the proposed route of the by-pass, local residents are suffering disproportionately.
- The outfall from the attenuation pond relies on a culvert under the A465 which is prone to blockage. It is likely that the drainage scheme will exacerbate flood risk on adjoining land.

- The application has not properly assessed the impacts on the amenity of the public footpaths or the effects on the health of walkers and horse-riders; that will be exposed at close proximity to airborne emissions.
- It is remarkable that Welsh Water, Environment Agency and Natural England can be satisfied with this proposal.
- The drawings are insufficiently detailed for the actual cut and fill exercise to be properly understood.
- The application needs to be considered in the light of up to date guidance. The Environmental Health Officer's response cites out of date guidance material.
- Some people living locally have chosen to live in the area as a consequence of the clean air.
- The ES reports that Skylarks are likely to nest on site and other red list species locally e.g. Curlew and Lapwing. Compensation is proposed in the form of appropriate management of grassland. What mechanism is there for ensuring that this will be brought about?
- The impacts of transporting such quantities of birds on open-sided lorries is not assessed. The quantity of Cargill lorries on local roads is noticeable and liable to increase. The effects on walkers and cyclists is undetermined.
- This country exports chicken, so self-sufficiency could be assisted by reducing exports.
- The ES (Landscape Report) describes the landscape impacts as moderate, when any objective analysis should record it as large or very large.
- This site would not be acceptable for residential or other employment development, so why is factory-farming acceptable?
- There are many planning appeals, including Bage Court, Dorstone, where Inspectors have judged landscape impacts to be sufficiently adverse to dismiss appeals.
- Will this application be the forerunner to an application for a manager's dwelling? There are many similar examples elsewhere in the county.
- Following withdrawal of the first application there has been little or no effort to engage with the local community.
- What provisions will be made for the monitoring of ammonia, noise and dust emissions?
- In no way can this development be said to accord with planning's duty to create healthy communities. It is contrary to Core Strategy Policies SS4, SS6, RA6 and MT1.
- If minded to approve, the Council should insist on more robust landscaping and sustainable water management that does not threaten the quality of existing water courses or exacerbate flood risk locally.

5.4 Six letters of support have been received. In summary, these:

- recognise the need for increased production of chicken;
- highlight improvements in the management and performance in terms of noise and odour emissions of new poultry units;
- highlight positive aspects arising from farm diversification; &
- Consider that suggested impacts in terms of odour, flood risk and highway safety are overstated.

5.5 The consultation responses can be viewed on the Council's website by using the following link:-

https://www.herefordshire.gov.uk/info/200142/planning_services/planning_application_search/details?id=163391&search=163391

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

Principle of Development

- 6.1 The application is for the provision of an agricultural development. For the avoidance of doubt agriculture is defined in Section 336 of the Act as follows:-

“Agriculture includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and ‘agriculture’ shall be construed accordingly.”

- 6.2 It is generally accepted that rural areas / the countryside are appropriate to accommodate agricultural related developments, although clearly there are many caveats to ensure that environmental quality is not adversely affected to an unacceptable degree.

There are policies within the adopted Development Plan (Herefordshire Local Plan Core Strategy 2011-2031) that support the more traditional employment sectors such as farming and food manufacture (Policy S5), support the diversification of existing agricultural businesses (Policy RA6) and developments that provide employment (Policy E1).

Landscape Impact

- 6.3 In my view, invariably one the main issues in consideration of such applications tends to be landscape impact. When referring to landscape impact I am referring to both impact upon landscape character and visual impact.
- 6.4 Firstly, it is worth noting that the landscape hereabouts has no specific designation (e.g. AONB). The Landscape Character of the site is that of Principal Settled Farmlands with native hedgerows used as field boundaries in a mixed farming land use context. The landscape is open and rural with no development distractions to the eye when seen from public rights of way. From these public rights of way near to the development site, farms and hamlet properties can be seen in the distance. It is, however, considered that the landscape hereabouts has moderate capacity for change. The landscape hereabouts is considered to have medium sensitivity. For comparison, it is considered that this landscape has greater capacity to accommodate change than the landscape that was the subject of a poultry related application (163327), albeit of a smaller scale, that was permitted at the last Planning Committee. That proposal lay within Natural England's 'Black Mountains and Golden Valley National Character Area'.
- 6.5 It is the case that traditionally Farm buildings tend to be closely grouped with the host Farmhouse such that one has tightly knit clusters of development that have developed organically over time.
- 6.6 In my view the proposal could be described as being out of character in that it provides an isolated major development in open countryside divorced from existing built form. However, there are reasons for this site selection that I understand. The existing Farmstead at Bowling Green Farm has a poor vehicular access in terms of visibility, is sited on high and very visible ground and has several dwellinghouses (other than that of the applicant) in relatively close proximity; including the listed 'Manor Cottages'. It is considered that the applicant has selected the most appropriate location on his holding to site this scale and form of development. The proposal is not only on relatively low ground but is a considerable distance from residential properties.

- 6.7 I must, however, highlight that the proposed development introduces major built form into what is currently largely undeveloped open countryside and as such is out of character. I consider the significance of this effect / impact to be moderate.
- 6.8 In terms of visual impact, the proposal has, in my opinion, been very well considered. Every attempt has been made to reduce the visual impact by:-
- siting the built form at the bottom of the field. That field is beyond a localised high point such that the buildings would not be visible from the B4349;
 - whilst there is local widening of the vehicular means of access, internally the access track largely runs parallel to an existing native hedgerow that provides a screen and backdrop to the track.
 - Where the access route departs from the existing field edge it would be mitigated by woodland belt planting;
 - The “internal courtyard” to the four proposed building is particularly well designed in that it encloses activities, feed bins, manoeuvring vehicles etc.; and
 - The colour choice of the materials would be entirely appropriate for this location and assist in assimilating the development into the landscape.
- 6.9 There can be no doubt that the development would be readily visible from bridleway AN1 to the east. However, this is very much a localised view only persisting for approximately 500 metres. In my opinion, this would be satisfactorily mitigated by the proposed new hedgerow (with hedgerow trees within it) and the proposed tree planting to the north and east of the proposed buildings.
- 6.10 Similarly the proposed development would be visible from a section of public footpath AN2 to the west and south. However, again these views would, in my opinion, be satisfactorily mitigated by existing intervening landscaping supplemented by the proposed landscaping that includes trees within the hedgerows along the western and southern boundaries of the field in which the development would be sited and a group of trees to be planted approximately 100 metres to the south of the proposed buildings.
- 6.11 Therefore I am of the view that whilst there is a degree of harm to landscape character and visual amenity it would be moderate and that the visual impact would be mitigated by the proposed colour scheme of the development and the landscaping / planting proposed. It is not considered that there is fundamental conflict with policy LD1 of the Herefordshire Local Plan Core strategy 2011-2031 in that the site selection is well considered, there is no harm to the setting of the settlement of Clehonger, the site is not within a area designated for its landscape value, the colour palette proposed is appropriate and the landscaping scheme assists in integrating the proposed development into the landscape.

Highways

- 6.12 Strategically I consider the site to be well sited. Effectively the site is such that vehicles only need to travel some 1.75km to the east along the B4349 (that is not single track) before joining the primary highway network of the A465. I think it is worth noting that the site is located such that the heavy vehicles / lorries travelling to and from the site would not need to travel through the village to the west.
- 6.13 The Engineering Manager is satisfied that the highway network has sufficient capacity to cater for the additional traffic generated by the proposed development. In terms of movements I think it is worth noting that existing traffic flows on an average weekday on the B4349 are 3,830 eastbound and 3,682 westbound. When one then looks at the proposed vehicle movements one can recognise that the additional movements on the network would be insignificant. Even on the day in the cycle with the highest HGV movements (Day 38 with 36 two-way HGV movements – 18 in and 18 out), there would only increase the number of vehicle movements on the network

on that day by less than 0.5%. It is considered that in terms of capacity the highway network has sufficient capacity to cater with the additional traffic that the proposal would generate.

- 6.14 In terms of safety, the area to consider is the safety of the proposed access. It has been established that the eastbound 85th percentile speed along the B4349 hereabouts is 46 mph and the westbound 85th percentile speed along the B4349 hereabouts is 45 mph. The eastbound visibility proposed is 2.4 m x 129m and the westbound visibility proposed is 2.4 m x 124m. The Engineering Manager has confirmed that this meets the required standards and would not prejudice highway safety. There has been concern as to forward visibility of vehicles approaching from the west travelling in an easterly direction. Forward visibility is at the moment impeded to a degree. It is proposed to increase the forward visibility to 160 metres by translocating a section of hedgerow on the northern side of the B4349 to the west of the site access. If one calculated the required forward visibility based on the 85th percentile speed the required forward visibility would be 127 metres but in this instance our Engineering Manager has negotiated the 160 metres distance.
- 6.15 There is no landscape or ecology / bio-diversity objection to the sections of hedgerow removals and translocations required to provide the visibility referred to above.
- 6.16 In summary, it is considered that the highway network has more than sufficient capacity to accommodate the limited traffic associated with the proposed development and that the visibility splays would ensure that the access is safe. As a consequence there would not be any undue risk to highway safety. As a consequence the proposal is considered to comply with policies SS4 and MT1 of the Herefordshire Local Plan Core Strategy 2011- 2031.

Vehicle movements associated with manure

- 6.17 I think it is worth addressing the matter of vehicle movements associated with manure. It appears to me that it is fundamentally more sustainable to dispose of manure on the host farm rather than exporting it – dependent, of course, upon the capacity of the holding concerned.
- 6.18 The previously withdrawn planning application proposed a degree of manure being spread upon the host Farm at Bowling Green Farm. However that resulted in objections and to appease local residents the applicant is now proposing to transport all the manure arising from the proposal off the Farm. To me that is fundamentally unsustainable. As I understand it the Farm currently imports manure that is spread on the Farm. It is understood that at present the Farm imports some 500 tonnes of Turkey manure per annum in 34 tractor and trailer loads. This does not require planning permission and clearly it must be more sustainable to spread manure what one creates on one's own Farm rather than import it.
- 6.19 It is understood that the proposed development would create some 3,320 tonnes of manure per annum (415 tonnes per cycle). It is understood that of that 1,391 tonnes *could* be spread on the host Farm whilst complying with whilst all the Government Regulations and advice with respect agricultural land management (e.g. *Nitrate Pollution Prevention Regulations 2015*, *Water resources (Control of Pollution) (Silage, Slurry and agricultural Fuel oil) (England) Regulations 2010 (SSAFO)*, *Cross Compliance (The Guide to Cross Compliance 2017)*, *The Government's Statutory Code of Good Agricultural Practice Protecting our Water, Soil and air*, *The industry good practice guidance entitled 'Think manures' and 'Tried & Tested Nutrient Management Plan'*).
- 6.20 Clearly, to export that 1,391 tonnes of manure off-site that could be accommodated on-site would appear to be fundamentally unsustainable creating unnecessary vehicle movements further afield. Furthermore the Farmer could still continue to import manure. In fact, one could create the scenario where the very manure that is exported on-site is then purchased and imported back to the Farm.

- 6.21 It is for that reason that I do not recommend a planning condition requiring all the manure to be exported off-site. If the aforementioned 1,391 tonnes of manure were to be spread on-site rather than exported, vehicle movements associated with removal would be reduced by approximately 12 movements per cycle). It is recognised; however, that some of the manure that would be spread on some parts of the Farm would involve some vehicles entering and exiting the site from the B4349, but clearly their journey lengths would be short and this more sustainable.

Manure Spreading

- 6.22 If manure arising from the sheds is to be stored and spread that would be controlled via the Environmental Permit.
- 6.23 The spreading of imported manure does not require planning permission but clearly any responsible farmer will be fully aware of the Government Regulations and advice with respect agricultural land management (e.g. *Nitrate Pollution Prevention Regulations 2015*, *Water resources (Control of Pollution) (Silage, Slurry and agricultural Fuel oil) (England) Regulations 2010 (SSAFO)*, *Cross Compliance (The Guide to Cross Compliance 2017)*, *The Government's Statutory Code of Good Agricultural Practice Protecting our Water, Soil and air*, *The industry good practice guidance entitled 'Think manures' and 'Tried & Tested Nutrient Management Plan'*).
- 6.24 I would add that I am concerned as to the increasing propensity of those objecting to poultry units to consider that if a matter is not seemingly covered by other legislation that it somehow automatically becomes a Planning matter. Firstly, the Government does not choose to legislate / control everything. They may issue guidance or voluntary codes and assume compliance. One example is concern relating to agricultural activities resulting in diffuse pollution of water, with a focus on phosphorus. As I see it at present, the Government has no legislation in that respect (although there is guidance to farmers). They clearly are considering legislation as in September 2015 the Government via the Department for Environment Food & Rural Affairs (DEFRA) published a document entitled 'Consultation on new basic rules for farmers to tackle diffuse pollution from agriculture in England'. To date there has not, to the best of my knowledge, been any further movement to legislation. It is noteworthy that this guidance arose from DEFRA as opposed to the Department for Communities and Local Government (that issues documents relating to Planning); suggesting that the Government does not regard this as a Planning matter.

Loss of quality agricultural land

- 6.25 It is recognised that the proposed poultry units would be located on land shown as Grade 1 or 2 on the Land Classification Map. It is recognised that Central government policy seeks to protect the best agricultural land in that paragraph 112 of the National Planning Policy Framework (NPPF) states:-

"Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality"

- 6.26 In this case, whilst some 1.5 hectares of agricultural land would be built upon it would remain in food production (i.e. chickens). The level of food production would undoubtedly increase significantly from what I understand to be an annual potato crop to over 1.6million chickens per annum.
- 6.27 In addition, this approximate 1.5 hectare area represents just some 0.5% of the entire arable holding at Bowling Green Farm. The total amount of arable land at the farm is some 287 hectares (710 acres). As such, this represents a very small proportion of the existing arable land holding.
- 6.28 I would refer one to the economic and social benefits outlined later within this report also.
- 6.29 I therefore conclude that I do not consider that a refusal on the basis of a loss of the best and most versatile agricultural land is justified in this case.

Ecology / Bio-diversity

- 6.30 As is evident from the consultation responses earlier within this report no objections are raised by either Natural England or the Council's own Planning Ecologist.
- 6.31 One will note that Natural England have responded with 'no objection' as regards potential significant effects on the River Wye SAC/SSSI.
- 6.32 In terms of the sections of hedgerow along the B4349 that are proposed to be removed or translocated these have been found to be species-poor and dominated by hawthorn and blackthorn.
- 6.33 I am satisfied that there is no conflict with policy LD2 of the Herefordshire Local Plan Core Strategy 2011- 2031.

Flood Risk / Surface Water Drainage

- 6.34 The site is located in Flood Zone 1 (low probability) based on the Environment Agency's indicative Flood Zone Map. The Flood Map indicates that the site is not located near any significant water features, the closest being the Cage Brook over 2km away. The nearest water feature to the site is a field drain located approximately 150m south-west of the main development site, however the development is at an elevated position and therefore unlikely to be at risk. This is demonstrated by the EA Risk of Flooding from Surface Water flood map which indicates a surface water flow route along the drain and suggests that this would not affect the development with the development shown to be at very low risk of flooding from surface water.
- 6.35 The EA Risk of Flooding from Surface Water flood map does, however, identify an area at risk of surface water flooding downstream of the site, believed to be associated with the culverting of the field drain beneath the A465. This is supported by anecdotal evidence from local residents. The management of surface water runoff from the proposed development is therefore of importance. However, as is confirmed by the consultation response from the Council's Land Drainage advisor reported above he is satisfied with the proposed surface water drainage arrangements and is satisfied that the risk of increased flooding at the A465 culvert is regarded as low.

Foul Water Drainage

- 6.36 The Applicant has stated that a 'Package Treatment Plant' will be used to manage foul water. The applicant, via a planning condition, would need to provide a detailed foul water drainage strategy showing how foul water from the proposed package treatment works will be disposed of.

Heritage

- 6.37 I am satisfied that the proposal would not affect the setting of the closest heritage asset, St. James Church.

Other Matters – Air Quality including dust & ammonia, odour, noise & ammonia

- 6.38 As stated earlier the Environmental Permitting regime administered by the Environment Agency (EA) deals with emissions to water, air and land and in this case an Environmental Permit has been granted. It is also a fundamental principle that the Planning process should not get involved in matters control. However, to reassure Members make a number of observations.

Air Quality

Dust

- 6.39 Air quality is addressed in Chapter 6 of the submitted Environmental Statement. In terms of dust the Environmental statement states in 6.2.4 that:-

“ The threshold criteria for PM10 in relation to poultry farms is where housing in excess of 400,000 birds (if mechanically ventilated) and exposure within 100m from the poultry units. The proposal at Bowling Green Farm is for a total of 212,000 birds and the nearest residential property is over 400m as measured from the property to the nearest part of the poultry unit.”

- 6.40 This is the advice provided by DEFRA in their document Local Air Quality Management, Technical Guidance (TG16), April 2016.
- 6.41 Nevertheless using the screening calculation provided for poultry units falling within the above definition the result indicates that air quality as regards particulates at the nearest receptor will be substantially below the National Air Quality Standard. The nearest receptor is over 400m away from the site and there are only 224,000 birds, including those at the nearby free range operation. Even if a separation distance of 100m and a bird number of 400,000 is used and assuming an elevated background level of 30 to address any local emissions that may not have been included in the national background level mapping, resultant particulate levels would still be below the daily mean national threshold level.
- 6.42 The Public Health England advice is that '*Intensive farms may cause pollution but provided they comply with modern regulatory requirements any pollutants to air, water and land are unlikely to cause serious or lasting ill health in local communities.*' This was supported by Herefordshire's Consultant in Public Health who stated that the '*response is an evidence-based statement, there I suggest in terms of our response we stick to the statement in the conclusion of this report “Intensive farms may cause pollution but provided they comply with modern regulatory requirements any pollutants to air, water and land are unlikely to cause serious or lasting ill health in local communities”.*

- 6.43 The poultry rearing activity at the proposed development has the benefit of an Environmental Permit issued by the Environment Agency who regulate / control all polluting emissions. I understand that Public Health England is a consultee in the permitting process.

Ammonia

- 6.44 Ammonia emission rates from the proposed poultry houses have been assessed and quantified based upon the Environment Agency's standard ammonia emission factors. The ammonia emission rates have then been used as inputs to an atmospheric dispersion and deposition model which calculates ammonia exposure levels and nitrogen and acid deposition rates in the surrounding area.
- 6.45 At all receptors considered, the predicted process contributions to the maximum annual mean ammonia concentration and nitrogen deposition rate are below the appropriate Environment Agency lower threshold percentage of Critical Level or Critical Load for the designation of the site.
- 6.46 I understand that the Environmental Permitting regime would also have considered carbon dioxide emissions and bio-aerosols.

Odour

- 6.47 The application is accompanied by an odour dispersion modelling study and refers to the 'Guidance on the assessment of odour for planning' published by the Institute of Air Quality Management as well as the Environment Agency guidance H4 Odour Management.
- 6.48 The Environment Agency H4 Odour Management guidance classifies odours from intensive livestock as moderately offensive and sets a benchmark odour criteria of 3.0 ouE/m³ (European Odour Units per metre cubed).
- 6.49 In this case the 98th percentile hourly mean odour concentration at nearby residences would be below the Environment Agency's benchmark for moderately offensive odours, a 98th percentile hourly mean of 3.0 ouE/m³ over a one year period.
- 6.50 Therefore I am satisfied that the occupiers of dwellinghouses in the vicinity would not suffer an undue loss of amenity by way of odour. As a consequence I conclude that there would not be conflict with policies SS6 and SD1 as far as they relate to the impact of odour upon residential amenity.

Noise

- 6.51 A noise survey has been conducted to determine the typical background noise levels at the nearest dwellings to the proposed poultry units. The extract fans and transport noise (HGV movements and loading / unloading) as a result of the proposed poultry units have been assessed in accordance with BS4142:2014.
- 6.52 The Council's Environmental Health Section agrees with the conclusions that there would be not any undue loss of amenity to occupiers of existing dwellinghouses in the area by way of noise. As a consequence I conclude that there is no conflict with policies SS6 and SD1 of the Herefordshire Local Plan Core Strategy 2011-2031.

Cumulative Impacts

- 6.53 I consider that the submitted Environmental Statement accompanying this application appropriately addresses the issue of cumulative impact in terms of major schemes with planning permission in the locality that have been granted planning permission but not yet implemented.

Economic & Social Benefits

- 6.54 Chicken is a consumer staple and is brought more than any other meat in the UK. The poultry meat industry makes a significant contribution to GDP with exports also. The proposal would offer the benefit of increasing agricultural capacity and food capacity. Moreover, agriculture has a major role in the economy of Herefordshire and plays an important part in the health and vibrancy of local communities. The proposal would clearly involve capital investment, most of which may support local contractors and suppliers. Whilst only two additional people (1 full-time & 1 part-time) would be employed at the Farm as a consequence of this development, the scheme would have a wider impact both in contributing to a successful part of the UK economy and in supporting other local businesses.
- 6.55 In this respect the proposed development would be in accordance with Policy RA6 of the Herefordshire Local Plan Core strategy, which indicates that a range of economic activities will be supported, including proposals which support and strengthen local food and drink production and support the retention of existing agricultural businesses. The proposal would clearly contribute to the economic and social objectives of the National Planning Policy Framework (NPPF).

7. Planning Balance

- 7.1 In conclusion, it is considered that the proposed development would cause harm to the character of the countryside hereabouts, but that the moderate visual impact would satisfactorily be mitigated by the proposed landscaping and carefully considered colour finishes to the buildings. The economic and social benefits are considered to outweigh the limited harm to the character of the countryside hereabouts that has no specific designation and whose sensitivity is considered to be moderate. In all other respects the proposal is considered to be acceptable. It is therefore concluded that the proposal would comply with the overarching aims of the Framework and it would constitute sustainable development.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;**

Reason:- As required by Section 91 of the Town and Country Planning Act 1990;

- 2. The development hereby permitted shall be carried out in strict accordance with the following approved plans:-**

- Location Plan – Drawing number HA24899/01 Revision A (Scale 1:2500 @ A2);**
- Access arrangements / Upper Section of Proposed Block – Drawing number HA24899/06 Revision A (Scale 1:500 @ A1);**
- Block Plan – Drawing number HA24899/02 (Scale 1:500 @ A1);**
- Floor Plans and Elevations and Poultry Service Buildings – Drawing number HA24899/03 Revision A (Scales 1:100 & 1:200 @ A1);**

- **Site Sections – Drawing number HA24899/04 (Scale 1:250 @ A1);**
- **Landscape Proposals – Drawing number PRI19723-11 Sheet 1 of 2 (Scale 1:1000 @ A1);**
- **Landscape Proposals – Drawing number PRI19723-11 Sheet 2 of 2 (Scale 1:1000 @ A1);**
- **Site Access – Visibility Splays – Drawing number 17480-02 Revision A (Scale 1:1000 @ A3); and**
- **Max Legal Articulated Lorry Tracking – Drawing number 17480-04 (Scale 1:500) @ A3);**

except where otherwise stipulated by conditions attached to this permission;

Reason:- To ensure that the development is satisfactorily integrated into the landscape in accordance with policies SS6, LD1, RA6 and SD1 of the Herefordshire Local Plan Core Strategy 2011-2031;

3. **The visibility splays in both directions shown upon Drawing number 17480-02 Revision A (Scale 1:1000 @ A3) together with the 160 metre forward visibility shall be provided with no obstruction above 600mm above carriageway level shall be provided prior to commencement of the development hereby permitted and thereafter shall be maintained as such;**

Reason:- In the interests of highway safety in accordance with policies SS4 and MT1 of the Herefordshire Local Plan Core Strategy 2011-2031;

4. **The translocation of hedgerows required to meet the requirements of condition 3 shall not take place between 1st April and 31 August (inclusive) in any calendar year;**

Reason:- To ensure that the hedges to be translocated have the best opportunity of survival without dying, to accord with policies SS6, LD2 and LD3 of the Herefordshire Local Plan Core Strategy 2011-2031;

5. **Any of the sections of translocated hedgerows that within a period of ten years of their translocation die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation;**

Reason:- To ensure that the development is satisfactorily integrated into the landscape in accordance with policies SS6, LD2 and LD3 of the Herefordshire Local Plan Core Strategy 2011-2031;

6. **All planting detailed upon Landscape Proposals – Drawing number PRI19723-11 Sheet 1 of 2 (Scale 1:1000 @ A1) and Landscape Proposals – Drawing number PRI19723-11 Sheet 2 of 2 (Scale 1:1000 @ A1) shall be carried out in the first planting season following completion of the development or first use of any of the buildings for agricultural purposes (whichever is the sooner). Any trees or plants that within a period of ten years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation;**

Reason:- To ensure a satisfactory appearance to the development in the landscape, in accordance with policies SS6, LD1, RA6 and SD1 of the Herefordshire Local Plan Core Strategy 2011-2031;

7. Prior to the first use of the buildings for agricultural purposes all external elevations of all of the buildings (including the service building & including the doors any louvres and steel supports to those buildings) shall be finished with the HPS200 Ardenne (RAL 7022) matt colour and the roof of the buildings, ridge vents and feed bins shall be finished with HPS200 Anthracite (RAL7016) matt colour and shall thereafter be maintained with those colour finishes;

Reason:- To ensure a satisfactory appearance to the development in the landscape in accordance with policies SS6, LD1, RA6 and SD1 of the Herefordshire Local Plan Core Strategy 2011-2031;

8. Prior to the first use of any of the buildings hereby permitted the vehicle access (including passing bays along the internal access route) and vehicle / turning / manoeuvring areas shown upon the approved plans shall be provided and thereafter kept free of obstruction for use by motor vehicles;

Reason:- In the interests of highway safety in accordance with policies SS4 and MT1 of the Herefordshire Local Plan Core Strategy 2011-2031;

9. Prior to commencement of the development hereby permitted the following matters shall be submitted to the Local Planning Authority for their written approval:-

- A habitat enhancement scheme integrated with the approved landscaping and attenuation pond;
- A hedgerow and tree protection strategy during the construction phase including a protection plan informed by the advice contained with BS5837:2012;
- A plan that identifies levels identified by the topographical survey in the vicinity of the proposed pond and those areas of the swale affected by high water levels, with proposed ground re-profiling to achieve the required freeboard;
- Scaled cross sections of the attenuation pond; and
- A detailed foul water drainage strategy showing how foul water from the package treatment works would be disposed of;

The development shall not commence until the Local Planning Authority has given such written approval. The development shall be carried out in full accordance with the approved details and thereafter maintained as such;

Reasons:-

- a) To secure ecological / bio-diversity enhancement in accordance with policy LD2 of the Herefordshire Local Plan Core Strategy 2011-2031;
- b) To ensure that existing green infrastructure is retained, in accordance with policy LD3 of the Herefordshire Local Plan Core Strategy 2011-2031; and
- c) To ensure satisfactory foul and surface water drainage arrangements in accordance with policies SS6, SD3 and SD4

10. No existing trees or hedgerows within the application site or on the boundaries of the application site shall be removed;

Reason:- To safeguard existing green infrastructure in accordance with policy LD3 of the Herefordshire Local Plan Core Strategy 2011-2031.

11. There shall be no more than eight cropping cycles in any one calendar year;

Reason:- So that the environmental impact of any intensification of production / use can be fully assessed against the provisions of the Development Plan and any other material planning considerations;

12. No gates across the vehicular access shall be provided within 32 metres of the southern carriageway edge of the B4349;

Reason:- In the interests of highway safety in accordance with policies SS4 and MT1 of the Herefordshire Local Plan Core Strategy 2011-2031;

13. No part of the vehicle access shall exceed a gradient of 1:12;

Reason:- In the interests of highway safety in accordance with policies SS4 and MT1 of the Herefordshire Local Plan Core Strategy 2011-2031;

14. CAT Wheel Washing

Reason:- In the interests of highway safety in accordance with policies SS4 and MT1 of the Herefordshire Local Plan Core Strategy 2011-2031;

INFORMATIVES:

1. Statement of Positive & Pro-active Working – the Local Planning Authority have acted positively and pro-actively in their processing of this application by engaging with the agent for the applicant in a positive manner to address all of the relevant material planning considerations. The Local Planning Authority has made every attempt to process and determine the application in as timely fashion as has been possible given the scale of the application and the issues that have arisen. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. I11 - HN01 Mud on highway
3. I09 - HN04 Private apparatus within highway
4. I45 - HN05 Works within the highway
5. I05 - HN10 No drainage to discharge to highway
6. I47 - HN24 Drainage other than via highway system
7. I35 - HN28 Highways Design Guide and Specification

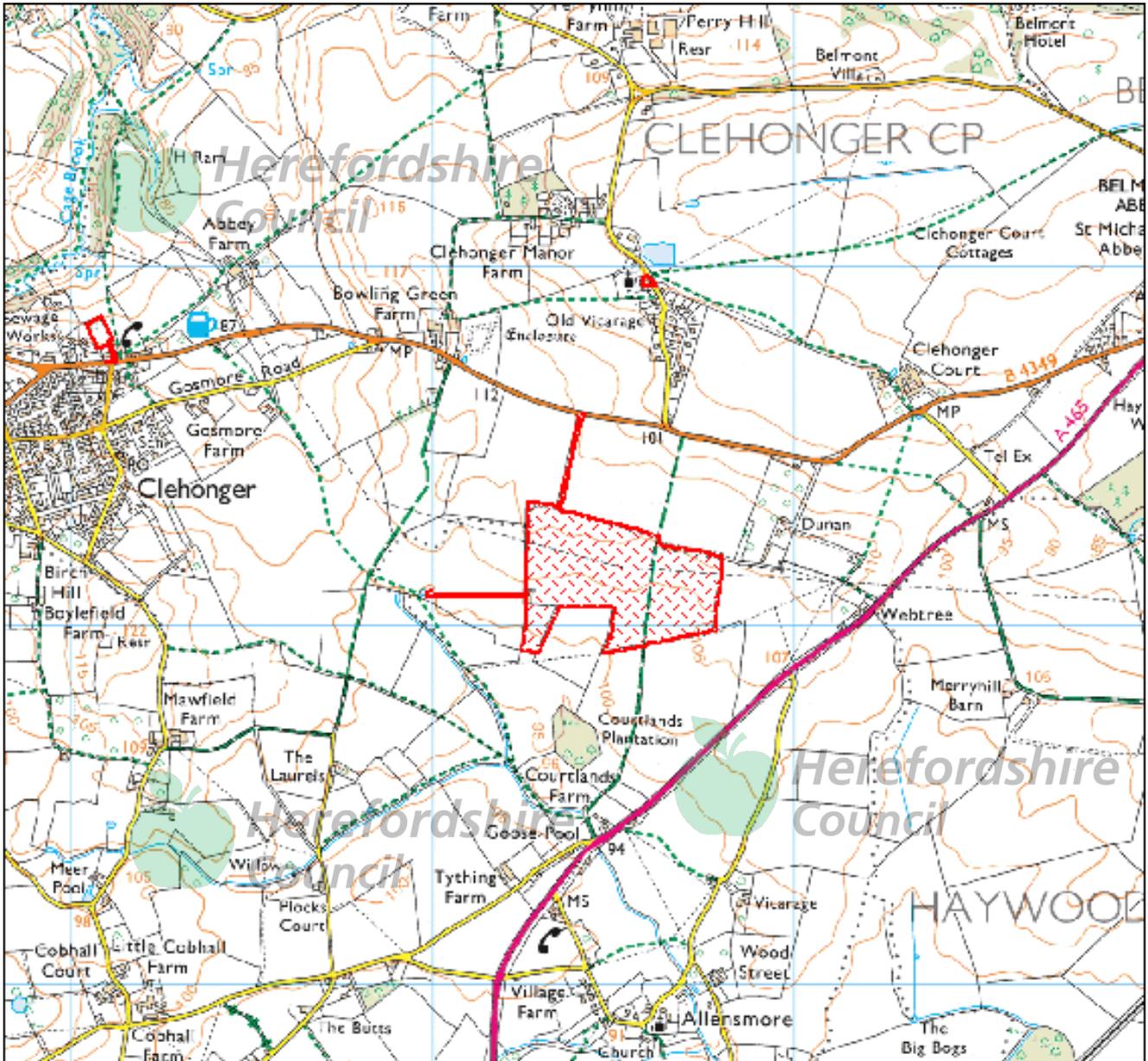
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 163391

SITE ADDRESS : BOWLING GREEN FARM, CLEHONGER, HEREFORDSHIRE

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Further information on the subject of this report is available from Mr Roland Close on 01432 261803