

TWC/2024/0148

Ellerdine Grange Farm, Ellerdine, Telford, Shropshire, TF6 6QR

Erection of 2no. barn egg laying units (24,000 birds per unit) including all associated works (AMENDED DESCRIPTION) - **SCREENING OPINION RECEIVED**

APPLICANT

J A & O Griffiths

RECEIVED

23/02/2024

PARISH

Ercall Magna

WARD

Ercall Magna

THIS APPLICATION IS BEING HEARD AT PLANNING COMMITTEE AS THE PROPOSAL HAS BEEN CALLED IN BY THE PARISH COUNCIL.

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?applicationnumber=TWC/2024/0148>

1. SUMMARY RECOMMENDATIONS

- 1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to conditions, informatives and the applicant entering in to a Section 106 Agreement to secure financial contributions as set out below.

2. SITE AND SURROUNDINGS

- 2.1 The site lies in the village of Ellerdine, which lies to the north-east of Telford, approximately 3 miles north-west of Waters Upton. It is a small hamlet comprising of no more than a dozen residential properties and farmsteads.
- 2.2 The Application Site comprises of a rectangular plot of land covering 2.4 hectares of agricultural land, located north-west of an existing farmstead. Ellerdine Fishing Lakes are located over 500m to the north-west of the application site.
- 2.3 The site falls within an Airfield Protection Zone, where consultation with RAF Shawbury and RAF Tern Hill is necessary for specific development of which this is not one, and Public Footpath 21 runs to the north of the site but is unaffected by the development.

3. PROPOSAL & OVERVIEW OF AGRICULTURAL BUSINESS

- 3.1 This Application seeks Full Planning Permission for the erection of 2no barn egg laying units including all associated works. Each unit will hold 24,000 birds, equating to a total of 48,000 birds on the Application Site at any one time.
- 3.2 The Proposed Block Plan shows the units located on an east/west axis, with a stone parking and turning area, accessed of the existing vehicular access point (to be improved as part of these proposals).

- 3.3 The Applicant's farming business began in 1961 and has since grown to become one of the UK's largest egg producing, packing and processing businesses. Operating across the country, its core operations are in Shropshire where the bulk of its 320 employees are based. The business now produces over 780 million eggs and markets over one billion eggs each year when its contract Free Range birds are included. The business is a family run business, farming both arable and livestock enterprises on farms across North Shropshire. The business farms over 1,800 hectares, producing potatoes, cereals and oilseeds.
- 3.4 The proposed buildings are a new European design of poultry house, incorporating best available techniques and designed to produce carbon neutral eggs. Details of the company model can be found in the 'Kipster Business Concept' in the application documents and by viewing their website: <https://kipster.farm/>. The aim of Kipster is to redefine the role of farm animals in the food system, with their chickens being part of the solution and serving 3 key interconnected functions:
- i. Up-cycling food waste;
 - ii. Suppliers of fertiliser/fuel, and;
 - iii. Suppliers of egg and meat.
- 3.5 Kipster model differs from the norm for a number of reasons:
- The eggs are not considered organic as the chickens are not fed organic feed, but are instead fed upcycled feed (essentially whatever humans cannot or will not eat – residual flows from agricultural land, malformed bread from bakeries, broken pasta/noodles from factories, surplus raw materials such as rice and flour and by-products from slaughter facilities).
 - The footprint of upcycled feed is about 50% of conventional feed (with Kipster stating that this is particularly significant when 70% of the greenhouse gas footprint of an egg is due to the feed);
 - They use less water and emit fewer greenhouse gas emissions in production;
 - Solar panels will cover the entirety of one-side of the mono-pitch roof;
 - Chicken litter is dried and removed off the farm to be used as fertiliser/fuel;
 - Kipster are committed to finding a solution for ending the slaughter of day old male chicks/roosters (a standard but harsh reality of egg production) to instead be used in the meat industry.
- 3.6 For information, the LPA have been advised by the Department for Business & Trade (DBT) that this forms part of a project on the Top 100 projects list. The projects list is a regularly updated summary of the top 100 Foreign Direct Investment (FDI) investments into the UK which takes account of factors such as investment/capital expenditure, job creation and Gross Value Added (GVA). This list is used to brief DBT Ministers, so they are aware of key FDI projects which may come forward.
- 3.7 Lidl GB announced in October 2024 that it would be the first grocer in Great Britain to start selling Kipster eggs and would seek to specifically utilise the eggs from this proposed development <https://corporate.lidl.co.uk/media-centre/pressreleases/2023/kipster-partnership>

4. PLANNING HISTORY

- 4.1 TWC/2023/0367 - Erection of 2no. barn egg laying units (24,000 birds per unit) including all associated works *** Screening Opinion received *****AMENDED PLANS RECEIVED*** - Withdrawn 15/12/2023
- 4.2 The above application was withdrawn in December 2023 as the Planning Officer advised the Applicants that insufficient information had been received to address the concerns raised by technical consultees at that time. This current application has been submitted to address those concerns.

5. RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 National Planning Practice Guidance (NPPG)
- 5.3 Telford and Wrekin Local Plan (TWLP) 2011-2031:
 - SP3 Rural Area
 - SP4 Presumption in favour of sustainable development
 - EC3 Employment in the rural area
 - NE1 Biodiversity and geodiversity
 - NE2 Trees hedgerows and woodlands
 - C3 Implications of development on highways
 - C5 Design of parking
 - BE1 Design Criteria
 - BE 8 Archaeology and scheduled ancient monuments
 - ER1 Renewable energy
 - ER9 Waste planning for commercial, industrial and retail development
 - ER10 Water conservation and efficiency
 - ER11 Sewerage systems and water quality
 - ER12 Flood Risk Management

Ercall Magna Neighbourhood Development Plan (NDP)

6. NEIGHBOUR REPRESENTATIONS

- 6.1 The application has been publicised through a Site Notice, Press Notice and direct neighbour notification
- 6.2 The Local Planning Authority received 47 (forty seven) public representations objecting to the proposed development and 7 'comments' albeit the contents of those comments appear to also be objecting to the application.
- 6.3 For the purposes of transparency, of the total 54 public representations, 4 were sent in via email without an address and a further 21 were from outside of the local area likely to be affected by this development – with at least 11 of these outside of the administrative boundary of Telford & Wrekin. To summarise, the application received

22 objections from individual residential properties located within the Telford administrative boundaries (or properties in near proximity but within Shropshire's administrative boundaries).

6.4 The following summarised issues were raised:

- Impacts on Ellerdine Fishing Lakes and fresh water mussels
- Impacts on wildlife
- Impacts on highway network/ network is poor/ Hazles Road junction substandard
- Concern over pedestrians/cyclists/horse users with increased traffic/artic use
- Odour/pollution/noise impacts
- Cumulative impacts of odour, noise and highways
- Proximity to residential properties
- Likely contaminated ground water
- Concern over manure spread
- Flooding

7. STATUTORY REPRESENTATIONS

7.1 Ercall Magna Parish Council – **Object [call in request]:**

The Parish Council question the need for this development given the existence of at least 5 large-scale intensive poultry units within 3km of the site and growing evidence that intensive livestock farming contributes to environmental damage and climate change. Additionally, EMPC raised specific concerns related to: transport and the unsuitability of the minor rural access roads for the vehicles anticipated; impact on the character of the site and surrounding area which contains several heritage assets; risk of environmental damage, especially to the pristine waters of the Ellerdine Lakes Fishery (500m from the site) and nearby Lakemoor Brook; impact on neighbouring businesses, including Ellerdine Lakes Fishery and Wilcox Equestrian; and, access to Rights of Way. The Parish Council considers that this amended planning application fails to adequately address these concerns, despite a number of opportunities.

The call in request from the Parish Council, in addition to reiterating the concerns above, also referenced the development being contrary to the Ercall Magna NDP due to the impacts on Ellerdine Lakes. They also made further comments following submission of further information from the applicants which advised that they still considered their concerns had not been addressed.

7.2 Historic Environment Team (Archaeology) – **Support subject to conditions:**

26.02.2024 - The geophysical survey is supported and as stated above the WSI is approved. However, as per our previous comments dated 25th October 2023 and in relation to Paragraph 200 of the NPPF (December 2023), it is recommended that the results of the geophysical survey be completed, and the results submitted to the LPA prior to the determination of this application. The geophysical survey would form the first stage of a field evaluation, and dependent upon the results, this would be followed by targeted trial trenching. The aim of this field evaluation would be to locate

and assess the extent, survival and significance of archaeological remains within the proposed development site. This would in turn enable an informed planning decision to be made regarding the nature and extent of any further archaeological mitigation that would be required as a condition of any planning consent in relation to the policies contained in Section 16 of the NPPF.

05.03.2024 – The geophysical survey now submitted has identified several anomalies of archaeological and possible archaeological origin. As noted in my previous comments, the submitted Landscape Plan indicates that the proposed woodland planting should avoid impacting upon the pit alignment to the west of the site (HER PRN 34478) and are located beyond the development boundaries. There are however a number of other anomalies identified which may be impacted by the proposed development. At this stage, the date, character and significance are uncertain. In view of the above, we would recommend a phased programmed of archaeological works be a condition of any planning permission.

7.3 Local Highways Authority – **Support subject to conditions:**

Subject to off-site works in respect to the installation of passing places, structural patching of highway and white lining at the junction of the road leading to Ellerdine Grange Farm and a financial contribution towards the installation of advisory and directional traffic signage, the LHA have no objection to the proposal.

7.4 Drainage – **Support, subject to conditions:**

The principle design strategy for the site is to drain foul sewage to a treatment plant, and shed wash-down areas to sealed tanks, which are tankered away. This seems suitable in terms of pollution management with standard conditions imposed with respect to a detailed scheme for foul and surface water drainage. The surface water information is somewhat conflicting, suggesting in part a controlled 1l/s discharge rate without a specified outfall, a surface water pump, underground storage containers and soakaways. As retention of all storm water year round is not often viable, details of the storage tank overflow need to be submitted. Full details of the foul drainage and wash-down system should be submitted in compliance with the environmental permitting regulations.

In response to queries raised, it is noted that the poultry units seem to be downstream of the Ellerdine Fishing Lakes and whilst this doesn't rule out pollution in general, it would mean the impact on these ponds in particular is unlikely but would in any event be controlled by the Environment Agency and the need for relevant permits.

7.5 Built Heritage – **Support subject to conditions:**

There is no Built Heritage objection in principle provided appropriate mitigation measures can be achieved to prevent harm to the settings of the aforementioned built heritage assets. Of particular concern are the proposed 1,032 solar panels on the south facing barn rooflines in addition to the large swathes of glazing. These could be visually intrusive in the landscape – even over great distances – however the proposed landscaping is considered sufficient to mitigate against reciprocal views

between the proposal site and the heritage assets in Muckleton and Rowton. Archaeological recommendations from the Historic Environment Team should be adhered to. The proposed works are considered to be broadly in keeping with local policies.

7.6 Environmental Health – **support subject to conditions:**

Noise – the noise levels are considered reasonably conservative in nature and suitable for use. Subject to time restrictions for forklift truck use and deliveries to/from the site and the Noise Management Plan being enforced, there is no objection.

Odour - Cumulative odour emission assessment of the proposed poultry units and the existing cattle housing found that odour units above guidance levels only at the farm residence itself which is financially linked to the development. As such this is considered acceptable.

Given the system being used, the presence of fly larva is considered unlikely. It is not considered that the development would create significant amounts of dust from any part of the operation.

7.7 Biodiversity – **Support subject to conditions:**

Preliminary Ecological Appraisal (PEA) determines that on-site habitats are common and widespread. Hedgerows have potential for bat foraging/nesting birds.

Enhancements required for bat/bird boxes but otherwise, site has low ecological value. BNG of over 23%. Secured. Manure Management Plan stipulates manure will be taken offsite at a burner in Shawbury with updated assessments demonstrating no critical load on designated sites.

7.8 Natural England – **No objection**

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection. Air Quality Impacts to Hodnet Heath SSSI:

- screening has indicated that the process contribution (PC) for all pollutants at all sites will be <1% of the relevant critical level or load for the most sensitive habitat at each site or;
- the PC for one or more pollutants are > 1% of the long-term critical load or level but the Predicted Environmental Concentration/Deposition (PEC) for the pollutant(s) is < 70% AND the PC is <10% of the short term critical level;
- litter will be disposed of off-site, and therefore does not require inclusion within site-specific air quality assessment, and;
- the stipulated biomass plant offsite is suitable for the disposal of litter.

7.9 Healthy Spaces – **No comment.**

7.10 Ministry of Defence (MOD) – **No objection:**

The proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset.

7.11 Coal Authority – **No objection:**

The site to which this submission relates is not located within the defined coalfield. On this basis we have no specific comment to make.

7.12 Shropshire Council Development Management (Neighbouring LPA) – **No comment:**

Officers do not wish to comment on this application in detail but would suggest that if the proposal is found to be acceptable in development management terms, the materials used for the building and on the site should be recessive in their colour and appearance and any solar panels should be dark in colour and matt in finish. This is suggested to help mitigate their visual appearance in the landscape [*Historic Environment Team*]

7.13 Shropshire Fire Service – **Comment:**

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service’s “Fire Safety Guidance for Commercial and Domestic Planning Applications” document.

8. APPRAISAL

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

- Principle of development
- Impact on the amenity of adjacent properties / uses
- Design and Layout
- Highways impacts
- Biodiversity
- Drainage
- Other Matters

Principle of Development

8.2 The application is located within the rural area. Policy SP3: Rural Area of the TWLP states that “*the Council will support development in the rural area where “it addresses the needs of the rural communities”* and it further states that *where development is proposed on best and most versatile agricultural land (Grade 1, 2 and 3a), the economic and other benefits of the land will be taken into account.*” The land relating to this proposal is Grade 2 (<https://tinyurl.com/NE-Agric-Land>).

8.3 Policy SP4: Presumption in favour of sustainable development confirms that “*the Council will support development proposals that are considered to be sustainable*”, with the Council working proactively to make sure that proposals which accord with the development plan are approved without delay. Some delay has been experienced in determining this application, due to issues surrounding technical matters. The Applicant and Council have worked proactively to achieve a development which they consider now meets local plan development policies.

8.4 Policy EC3: Employment in the rural area relates specifically to employment in the rural area and confirms that in cases where no buildings are capable of conversion/re-use for the proposed use, new development will be supported in well-

designed new buildings provided it meets the three criteria of this policy. In respect of criterion (i), the creation of poultry units is considered a well-established farming use in the Shropshire countryside. The LHA have confirmed that subject to some improvements secured by condition/S106 agreement, the proposal would not significantly impact the local highways network and therefore meets criterion (ii). The proposal has been supported by a Planning Statement which set out the Applicant's well established farming business and its desire to improve bird welfare and be the first in the UK to utilise this new state of the art sustainable poultry facility and therefore also meets criterion (iii).

- 8.5 In principle therefore, the proposal is considered to be acceptable in this location subject to consideration of the economic and other benefits.

Impact on the amenity of adjacent properties / uses

- 8.6 The main areas of concern for local residents have related to the impact on the highway network and nuisance caused by noise/odour.
- 8.7 The LHA have advised that subject to the installation of passing places and signage along the local highway network, which shall be secured by conditions and S106 Agreement, there would be no significant highways impact to warrant refusal of the proposal. This is discussed further below.
- 8.8 With respect to Noise/Odour, the proposal has been assessed by external Environment Health Consultant on behalf of the LPA and been found to have limited impacts. This is of course subject to appropriate fans and filters being installed, a Manure Management Plan being in place and operational hours being strictly controlled and the creation of a 2.0m bund on the southern boundary, as set out in the supporting Noise Assessment. To clarify, HGV movements and forklift truck operation will not be permitted between 22:00 and 07:00. These are all elements of the proposal which will be conditioned accordingly.
- 8.9 It is considered therefore that impacts on the amenity of adjacent properties is limited subject to suitable controlling of the processes, as is standard for a planning application of this type.

Design and Layout

- 8.10 The design concept includes a multi-tier system, incorporating nest boxes, egg conveyors, manure belts, feeders and drinkers. Ventilation is based on fans which are located in the gable end of the bird areas, and ventilate the building through an air scrubbing system, which will remove ammonia, odour and dust from the air. Additionally, before leaving the barn, the heat is recovered by a heat pump which preheats incoming fresh air. Combined with the innovative ventilation system in the barn this lowers emissions significantly and creates a better in-house climate for both farmer and bird.
- 8.11 Kipster promote the well-being of their chickens through the creation of both fenced outdoor areas, but also safe indoor areas which experience fresh air and natural daylight through the introduction of large expanses of glazing. This differs from any other egg production facility, which has extremely limited natural daylight inside. With such a varied and enriched environment, it is also not necessary or beaks to be trimmed. In their Business Concept, Kipster offer a breakdown of the difference

between standard egg laying production, against their own (see table below – noting that this relates to current US farming practises).

EXTRACT FROM KIPSTER BUSINESS CONCEPT MODEL – Page 9						
Comparison US Standards	Kipster	Organic	Pasture	Free-range	Cage-free	Caged
Day old roosters grow up	+	X	X	X	X	X
Beaks are kept intact	+	+	X +	X	X	X
Hens can go outside	+	+	+	+	X	X
Indoor garden to roam*	+	X	X	X	X	X
Daylight indoor	+	X	X	X	X	X
No antibiotics ever**	X +	+	+	X+	X	X
Catching birds “Eyes on Animals”	+	X	X	X	X	X
*We are anticipating for bird flu with a great indoor garden, unlike free-range, pasture and organic.						
**When our birds get sick and we can cure them with antibiotics in an appropriate manner, we go for it.						

- 8.12 Kipster are keen on transparency when it comes to the welfare of their animals and live stream cameras are available 24/7 to ensure the promotion of this.
<https://kipster.farm/live-cams/>
- 8.13 Externally, the design of the poultry units is one which differs from the standard. It is much greater in height and incorporates large expanses of solar panels and glazing. However, the area of land which is required is less than standard free-range egg laying and thus, results in the loss of less agricultural land. Of the 1800 hectares owned by the Applicant, the proposed development will result in the loss of 2.4 hectares and be located immediately adjacent the existing farmstead.
- 8.14 The building is an asymmetric pitched roof reaching 9.3m to ridge and 3.0-5.5m at eaves. On the southern elevation, the facing roof will be made of over 1000 solar panels and the northern elevation fully glazed to provide natural daylight to the ‘indoor play areas’. The gable ends and walls will be finished in a profile sheeting of recessive colour (to be conditioned).
- 8.15 As part of the consultation process, the Ministry of Defence were consulted to ensure that the glazing and solar panels proposed would not cause any issues within the Airfield Protection Zone. They have confirmed that it would not cause any detrimental impact.
- 8.16 Likewise, the application was supported by a Landscape & Visual Appraisal (LVA) at the request of the LPA which sought to consider the visual impact of the proposal from any prominent locations and/or public rights of way. As part of this process, a number of proposed theoretical visuals were prepared. Following consideration of the LVA and undertaking a site visit of the local area, Officers concur with the LVA conclusions in that ...”*The study area contains gently undulating or rolling landforms and the layering of mature roadside and field boundary vegetation as well as woodlands and tree groupings provide some effective screening to middle distance and longer distance views. As a result, whilst the proposed development would be*

visible from the local area immediately surrounding the site, at slightly greater distances away the development would regularly be either partially or entirely screened from view.”

- 8.17 Once the proposed landscaping has matured and through the use of appropriate recessive material choices, Officers are of the view that the proposed is a well-designed and sustainable form of development which seeks to tackle climate change and adopt an innovative approach to egg production. Therefore Officers are satisfied that the proposals meet with the relevant policies of the TWLP in respect of design.

Highway Impacts

- 8.18 The supporting Transport Assessment advises that the proposal would generate 280 HGV trips over a maximum of one, 70 week ‘crop’ cycle (plus 2week clean down period), aligning with the following movements:

OPERATION	VEHICLE TYPE	TOTAL 2-WAY MOVEMENTS	WHEN IN CYCLE	MOVEMENT TIMES
Point of Lay Pullets Delivery	Artic	6 per flock cycle	Week 1	Arrival 10:00 – 12:00 Depart 14:00 – 16:00
Feed Delivery	32t Rigid	2 per week	Throughout	Arrival after 18:00 Depart before 20:00
Bird De-Population	Artic	6 per flock cycle	Week 70	Arrival at 20:00 Depart after 07:00
Egg Collection	17t Rigid	7 per week	Throughout	Arrival at 07:30 Depart at 17:00
Staff	Car	3 per day part-time 1 full-time living on-site	Throughout	Arrival at 07:30 Depart at 15:00

- 8.19 Apart from the 6 artic movements associated with the point of lay pullets delivery at Week 1 of the cycle, and the 6 artic movements associated with bird de-population at week 70, there will be no other artic movements in the intervening period.

- 8.20 The remaining movements will be:
- 2 deliveries of feed per week, on a 32t rigid “blower” vehicle, and;
 - A daily collection of eggs by one full-time and 3 part time staff members (whom would access the site by car), loading onto a 17t rigid vehicle.

Overall, it is considered that the vehicular movements are limited and those expected for a rural location. Swept Path Analysis Plans have been provided which demonstrate that the site and access leading to it, can accommodate the size of the proposed vehicles and their turning areas.

- 8.21 The most suitable route for HGV’s is via the unnamed road leading north which then merges with Hazles Road. A right turn is then made at the junction which then takes you to the A442 (and vice versa). This route would avoid HGV’s travelling through the Heath Lanes and Cold Hatton villages. The applicant has provided a vehicle tracking exercise which outlines that the largest vehicle associated to the site can manoeuvre along the above route and turn right out and left in, at the unnamed road/Hazles Road junction.

- 8.22 Noting the concerns of local residents, the LHA consider that formal passing place needs to be implemented along the first stretch of the unnamed road, approximately

halfway from Ellerdine to the 90-degree bend along the unnamed road (travelling north). There are no appropriate places for a vehicle to pass an oncoming HGV along this stretch of carriageway, so the implementation of a formal passing place would obviously address this. Additionally, to re-enforce the HGV route, the LHA feel advisory and directional signing is needed to inform the HGV drivers of the agreed, appropriate route and what roads are unsuitable.

- 8.23 These requirements are to be secured by appropriately worded conditions, S106 planning obligations and restrictions and the conditioning of an Operational Management Plan.
- 8.24 There will also need to be some structural patching necessary at the junction of the road leading to Ellerdine Grange Farm as the surface is in poor condition currently. The white lining will then need refreshing to clearly define priority at the junction.
- 8.25 With respect to the movements themselves, these are outlined below in a slightly amended version to that outlined in the Transport Assessment Addendum – February 2024. The number of vehicles has not been amended, only the timings of certain movements. These timings have been amended to reflect the outcome of the Noise Assessment and the recommendation that no HGV movements or deliveries (and associated forklift truck operation take place within the site) outside of the time period 07:00 to 22:00, to ensure no adverse impacts on neighbouring residents.
- 8.26 The times for feed delivery are now proposed to be restricted to 18:00-20:00 and of note, the bird depopulation artic lorries will now arrive after 20:00 but not depart the site until 07:00. The agent has confirmed that during darkness hours (to comply with current animal welfare standards and best practice), the birds will be caught within the poultry unit and placed in transport crates. From 07:00 onwards, forklift trucks would place the transport crates into the artics prior to off-site transportation. Thus, now all the movements relate to the restrictions of the Noise Assessment and proposed delivery conditions.
- 8.27 The public right of way (PROW) Footpath 21 which runs to the north of the site will be unaffected by the development. An informative will be placed on any decision notice to ensure it remains unimpeded and open at all times during construction.
- 8.28 NPPF paragraph 115 states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would be severe”*. On the basis of the details provided, the additional details / restrictions that will form part of planning conditions and a S106 legal agreement, the Local Highways Authority do not consider that development can be prevented or refused on highways grounds.

Drainage

- 8.29 On the previous application (TWC/2023/0367), the Drainage Team only objected on the basis of insufficient information. Whilst the principle of the drainage strategy was supported, they expected more detail to be included with a Full Application such as details of any existing soakaway or the location and basic construction details of any new soakaway.

- 8.30 This application has been supported by the additional information previously requested and outlines that there is adequate space within the existing surface water storage tanks to accommodate the proposed units. It is advised that surface water will drain to two pumps, which thereafter transfer to the tanks, away from any existing surface waters.
- 8.31 Separately 'Foul Drainage' from wash down (an on-site sanitary facilities) will be collected in an underground sealed tank with the contents exported off-site. The tanks will be constructed in accordance with the Code of Good Agricultural Practice.
- 8.32 For clarity, the site falls within Flood Zone 1 (Fluvial) and is also not an area identified at risk from surface water (Pluvial) flooding.
- 8.33 The Drainage team are satisfied that the principle of drainage from the site are acceptable and would, as standard, condition the finer detailed designs.
- 8.34 With respect to concerns raised by the Parish Council and local residents over pollution control to the nearby Ellerdine Lakes, this is controlled by the permits required by the Environment Agency. Nevertheless, the principles of the drainage strategy (in terms of the use of treatment plants and storage tanks) are suitable for pollution control from a planning perspective and the Drainage Team consider that as the units are downstream from the Ellerdine Fishing Lakes (whilst it does not rule is out in general), the impacts on these ponds is particularly unlikely.

Biodiversity

- 8.35 For the purposes of clarity, following some lengthy discussions over impacts, both Natural England and TWC's Biodiversity Team raise no objections subject to appropriate conditions.
- 8.36 During the first round of consultation, Natural England raised no objection to the application but raised the point that the Manure Management Plan lacked some detail. It initially states that manure produced from the unit would be exported to Wern where it will be burned, but little information beyond this, stating that this activity itself could have impacts on other designated sites) in those areas (i.e. the Hodnet Heath SSSI). It also states that there would be occasions whereby manure would be stored on-site but again, little information about this process and with it not being included in the ammonia modelling.
- 8.37 Whilst not objecting, Officer raised these concerns with our Biodiversity Team and also sought to obtain further information upfront from the applicants.
- 8.38 The initial comments received from TWC's Biodiversity Team were that of an objection relating to atmospheric pollution.
- 8.39 Firstly, it is worth clarifying that a Preliminary Ecological Appraisal was undertaken and submitted in support of the application noting that all on-site habitats were common and widespread. The hedgerows were recognised for their potential to support foraging and commuting bats and nesting birds and it is therefore deemed that any hedgerow removal take place outside of the nesting season and is conditioned accordingly.

- 8.40 With respect to Biodiversity Net Gain (BNG), as the application was submitted before the 12th February 2024, the statutory 10% net gain requirements do not apply. Nevertheless, in recognition the Council's early incentive to seek 10% net gain on all sites, the applicant has endeavoured to meet those earlier aspirations with the assessments demonstrating a net gain of 23.29%. As this falls outside of the statutory requirements, management of this will be secured by condition.
- 8.41 At the first application relating to Ellerdine Grange poultry units (TWC/2023/0148), SCAIL modelling of the ammonia impacts was requested, with particular attention being paid to protected sites within 5km of the application, including but not limited to:
- Hodnet Heath SSSI c.4.863km
 - Brooms Coppice Ancient Woodland – c.2km
- 8.42 The Ammonia Emissions: Impact Screening Assessment by Isopleth (dated August 2023) highlights that the critical level impact at Hodnet Heath SSSI is less than 1%, and the critical level impact at Brooms Coppice Ancient Woodland is considerably below the 100% tolerance allowed by the Environment Agency. It also highlights that the nutrient nitrogen impact at Hodnet Heath SSSI is predicted to be below 1% of the lower Nitrogen critical load. At Brooms Coppice Ancient Woodland, it is predicted to be 3.46%, considerably below the 100% of the critical load allowed by the Environment Agency.
- 8.43 Natural England requested additional information relating to the Process Contribution and Predicted Environmental Contribution (PEC) of the proposed development on the Hodnet Heath SSSI. This was to establish whether pollution from the site will lead to the designated site exceeding its acceptable threshold for ammonia. Isopleth addressed the PEC in updated comments using refreshed values from Ammonia Path Impact Screening for 2024. Following this, on October 3rd Natural England issued comments consider that "*the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection*". This now mirrors the adopted position of TWC's Biodiversity Team on this development.
- 8.44 An amended Manure Management Plan (v2) has been produced by Roger Parry & Partners (dated May 2024). The proposal is to transport all manure to the off-site manure burner operated by the applicant in the Shawbury area, approximately 5km from the Ellerdine site. Should this burner not have capacity to process the farms manure. A contingency proposal is presented utilising the manure burner on Wem Road, operated by Oakland Farm Eggs. The spreading capacity of the applicant's land ownership (c.1,800ha) is in excess of 450,000kg N (and forms part of a separate Shropshire Council application and thus all impacts have been assessed). Should the manure burners be available temporarily, there is capacity for the manure to be stored there rather than on-site. As such, it is considered that the manure management for the proposed unit is suitable and can be conditioned.

Other Matters

Built Heritage

- 8.45 Subject to the use of recessive materials and securing the landscaping proposed, there are no objections from Built Heritage at TWC or Shropshire Council. With respect to archaeological matters, initial geophysical assessments have been

undertaken and the recordings notes. The Historic Environment Team raised no objections subject to a multi-phase condition for further archaeological assessments and recording of results.

Parish Council call-in

- 8.46 One of the concerns raised by the Parish Council whom called in the application, was in relation to need. They cited that at least 5 large-scale poultry units are within 3km of the site and that there is growing evidence of how such proposals contribute towards environmental damage and climate change.
- 8.47 Firstly, the purposes of planning policies in respect to agricultural is not to consider need but consider that planning applications are led by market demand and to consider their impacts. The applicants have acknowledged the presence of nearby poultry units (providing an 'Existing Poultry Units' plan), and presented this application with a number of supporting reports which consider the impacts of development. The varying technical constraints have been identified and considered above, specifically with reference to the processes by which this particularly facility seeks to adopt to help reduce environmental damage. Based on the assessment of the supporting reports, Officer do not consider that the cumulative impacts are significant and would warrant refusal.
- 8.48 The Parish Council and local residents also raised concerns over highways, heritage assets and pollution/drainage concerns. Officers are satisfied that these have all been addressed above.
- 8.49 The formal comments made by the Parish Council do not refer to the proposed development being contrary to the NDP, but this is however referenced in their call in request as follows *"The proposals are contrary to the Ercall Magna Neighbourhood Plan, the Ellerdine Fisheries are included as a local significant open space"*. On this point, the NDP identifies a number of open spaces within Ercall Magna, the Ellerdine Lakes being one – and this is shown on the plan at para 15.6.21 with policy EG2 being referenced. Para 6.2.2 of the NDP states that *"This NDP identifies open spaces at Ellerdine Lakes, Hoo Coppice; Long Plantation; Mytton Coppice; Roden Coppice; and, Rough Marl. Together with the Local Green Spaces in Ellerdine, High Ercall and Roden and the rights of way connecting them, these form a key component of the green infrastructure within the neighbourhood area"*. I believe the relevant policies in respect of these open spaces, and thus the concern that the site is contrary to the NDP, is in relation to Policy EG2 and EG3.
- 8.50 In their formal comments, the concern raised by the Parish Council in respect to Ellerdine Lakes is potential run-off and contamination to the lakes, and other water courses. The LLFA have reviewed the Drainage Strategy and are content that this can be accommodated on-site without risk of contaminants entering any water sources - the details of this being conditioned as standard. Noting the concerns raised by the PC, I further queried this with the LLFA who advised *"...In response to queries raised, it is noted that the poultry units seem to be downstream of the Ellerdine Fishing Lakes and whilst his doesn't rule out pollution in general, it would mean the impact on these ponds in particularly is unlikely but would in any event be controlled by the Environment Agency and the need for relevant permits"*. This has been set out earlier in the Committee Report. Officers are therefore satisfied that the concerns raised with respect to impacts on the Ellerdine Lakes have been considered and not found to be contrary to the NDP as with appropriate control (through a clear drainage scheme and the necessary environmental permits), the

scheme will not have a significant adverse impact on Ellerdine Lake as a an NDP designated Open Space

Screening Opinion

- 8.51 A Screening Opinion was requested in parallel to the submission of this application. The proposal has been assessed and is considered not to need an Environmental Impact Assessment (EIA).

Planning Obligations

- 8.52 Any planning consent would be conditional on the agreement of a S106 agreement to secure the following planning obligations (plus indexation):
- £17,000.00 towards implementation of advisory and directional traffic signing along the unnamed road leading north towards Hazles Road, Hazles Road and the A442, and;
 - A Routing Plan to secure that all Heavy Good Vehicle movements associated with the site shall be routed via the unnamed road leading north towards Hazles Road, Hazles Road and the A442 (and vice versa), and;
 - S106 Monitoring Fee of £250.00
- 8.53 In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations (2010), in particular Regulation 122, have been applied to ensure that the application is treated on its own merits: a) necessary to make the development acceptable in planning terms; b) directly related to the development; c) fairly and reasonably related in scale and kind to the development.

9 CONCLUSIONS

- 9.1 On balance, it is considered that the proposal is compliant with relevant policies of the Telford & Wrekin Local Plan 2011-2031 and represents well-designed agricultural buildings which assist in the diversification of the rural economy.
- 9.2 In accordance with Policy EC3 (Employment in the rural area), the local highway network is considered capable of accommodating the extra traffic and a business concept has been put forward to demonstrate how the proposed is sustainable and supports the local economy, as well as tackling national climate change issues.
- 9.3 The proposed units will respect the site and the wider area. Given the materials and landscaping scheme proposed, the units will be well screened from middle and longer distance receptors and in light of the conclusions of the supporting reports, subject to appropriate conditions the proposal will not cause any detrimental impact upon the amenity of neighbouring properties.
- 9.4 On balance therefore, the proposal is therefore deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

10 DETAILED RECOMMENDATION

10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** (with the authority to finalise any matter including conditions, legal agreement terms, or any later variations) subject to the following:

A) The applicant/landowners entering into a Section 106 agreement with the Local Planning Authority (item i. subject to indexation from the date of committee), with terms to be agreed by the Development Management Service Delivery Manager, relating to:

- i) £17,000 towards implementation of advisory and directional traffic signing along the unnamed road leading north towards Hazles Road, Hazles Road and the A442, and;
- ii) A Routing Plan to secure that all Heavy Good Vehicle movements associated with the site shall be routed via the unnamed road leading north towards Hazles Road, Hazles Road and the A442 (and vice versa), and;
- iii) S106 Monitoring Fee of £250.00.

B) The following conditions (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):-

Time Limit Full

Further Details:

Samples of materials – sheeting, window frames and solar panels.

Landscaping Details

Landscape Management Plan (lifetime of development)

Parking, loading, unloading and turning

Details of off-site highway works

Operational Management Plan

Foul & Surface water drainage scheme

Details of 2m bund on southern boundary

Updated Odour Management Plan

Construction Environmental Management Plan

Lighting Plan

Erection of artificial nesting/roosting boxes

Biodiversity habitat management plan

Compliance:

Delivery/ HGV movement hours

Forklift truck use hours

Manure Management Plan

Biodiversity Net Gain not required [*exempt; planning permission made before 12/02/2024*]

Informatives:

S278 Agreement – off-site works

Nesting birds/hedgerow clearance
Shropshire Fire
S106 Agreement
Conditions
Reason for Grant
Approval following amendments – NPPF