

APPLICATION NO	PA/2019/2064
APPLICANT	Mr Keith Wilson, International Energy Crops Ltd
DEVELOPMENT	Planning permission to erect four agricultural buildings for poultry rearing, together with associated feed bins, infrastructure and new highway access
LOCATION	Hall Farm, Middlegate Lane, Bonby
PARISH	Bonby
WARD	Brigg and Wolds
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Member call in (Councillors Rob Waltham and Carl Sherwood) Significant public interest

POLICIES

National Planning Policy Framework: Sections 6, 9 11, 12, 15 and 16 apply.

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

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

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

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

CONSULTATIONS

Highways: No objection, but recommend conditions.

Environment Agency: No objection. An environmental permit for this operation was issued on 10 April 2017 (PP3236DA), which is still valid.

Drainage (Lead Local Flood Authority): No objection, but recommend conditions.

Anglian Water: No objection or comments.

Environmental Protection: Following receipt of additional information in respect of noise and odour modelling, no objection subject to the imposition of a condition in respect of noise levels for fixed plant and machinery.

Historic Environment Record: Following receipt of amended landscaping proposals, the previous holding objection is removed and conditions are now recommended.

Humberside Fire and Rescue: Commercial premises are required to provide adequate access for fire-fighting to all buildings or extensions to buildings.

Trading Standards: No issues to report.

Natural England: After reviewing the document provided, we note that a desk study of the surrounding area has been carried out, which indicates that historically (over 10 years ago) large numbers of pink-footed geese (an important component species of the waterbird assemblage notified as part of the Humber Estuary Special Protected Area) were recorded within the vicinity of the proposed development.

Whilst no recent survey data has been provided, we understand that the land has been used to grow Miscanthus crops and therefore it would be unlikely that the area would provide suitable foraging for geese and swans during the winter months. Furthermore, the proposed development is relatively close to a road and agricultural buildings, reducing the likelihood of the suitability of the habitat due to disturbance impacts.

In conclusion, Natural England concurs that the proposed development site is unlikely to provide important supporting habitat for bird species associated with the Humber estuary designated sites. As no recent bird survey data has been provided, we recommend that the enhancement measures that are outlined within the report are secured to ensure that the development does not impact on potentially nearby foraging geese and swans within the winter months.

Ecology: The proposal is not likely to harm designated sites, or protected or priority habitats or species. The proposal will have no likely significant effects on the Humber Estuary SAC, SPA or Ramsar sites. The landscaping proposals include species appropriate within the Wolds landscape, but in a rectangular block that may have its own landscape impacts. Planning conditions are proposed to minimise harm to protected and priority species and habitats and to seek biodiversity enhancement in accordance with the National Planning Policy Framework.

PARISH COUNCILS

Bonby Parish Council: Object on the following grounds:

- cumulative impact from the anaerobic digester on odour
- location on the slope and proximity to residential properties will result in issues relating to odour emissions
- contrary to Sections 6, 12 and 15 of the NPPF and policy CS23 of the Core Strategy
- noise from ventilation, vehicles servicing the unit and the cycles of operation
- impact on the peace and tranquillity of this rural area
- impact on road and pedestrian safety
- impact of built development on rural landscape

- prominent location of the edge of the escarpment
- impact on the enjoyment of the countryside by walkers and cyclists
- no public consultation.

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

- the proposal will significantly alter the character of the landscape
- the proposal will dominate the landscape
- area is designated as 'high landscape value'
- potential for variants of avian flu and risk to human health

Worlaby Parish Council: Object on the following grounds:

- position to be north-east further up the escarpment nearer the B1218
- re-positioning will lessen the visual impact on Middlegate Lane
- re-positioning will lessen any odour problems
- re-positioning will lessen the track required.

PUBLICITY

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

- benefits of scheme outweighed by environmental harm
- impact of factory farms upon the environment
- ethical and health issues associated with intensive livestock units
- link between intensive farming and wider health issues
- industrialisation of the landscape
- cruelty to animals
- piecemeal approach to development proposals
- no changes in the proposal from the application previously refused
- impact on tourism
- no guarantee or certainty relating to the means of access and egress from the site
- increase in traffic and congestion on local roads

- obnoxious and offensive smells
- increase in HGV traffic along local highway network
- dust generation
- contamination risk to local groundwater
- restrictions on the routeing of HGVs should be considered
- impact on wildlife and protected species
- the proposal breaches the EA guidelines for acceptable odour levels
- impact of the access track upon the rural landscape
- vermin ingress
- local highway infrastructure is unsuitable
- impact on view
- issues with the removal of waste/bedding
- proximity to residential properties
- impact on the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB)
- loss of high grade agricultural land
- low employment generation
- contrary to policies LC7 and LC10 of the North Lincolnshire Local Plan
- impact on the proposed community orchard
- it should be relocated
- impact on enjoyment of the Viking Way
- noise from vehicle movements
- landscaping will take time to establish
- odour modelling data is subjective.

The Countryside Charity Northern Lincolnshire (formerly the CPRE): Objects on the following grounds:

- the proposed application is sited on land within the open countryside which is highly valued in terms of its landscape quality and amenity value to both residents and visitors to the area alike

- poor infrastructure networks surrounding the site.

Two letters of support have also been received.

STATEMENT OF COMMUNITY INVOLVEMENT

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

ASSESSMENT

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

This application seeks planning permission for the erection of a new poultry unit at Hall Farm in Bonby. This consists of the erection of four poultry sheds measuring 116.88 metres by 24.69 metres each, with a ridge height of 6.24 metres. The poultry sheds are proposed to accommodate 62,500 birds with a total capacity of 250,000 birds. The plans also include the provision of associated infrastructure which consists of bulk bins, hardstanding and concrete aprons, dirty water containment tanks and a new vehicular access track from Bonby Lane measuring 2.7 kilometres in length. The proposed buildings would be used for the rearing of broilers from day old chicks through to finished table weight. This is a resubmission of PA/2017/564 which was refused at a planning committee meeting on 30 August 2017 and subsequently dismissed at appeal.

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

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

Principle

The National Planning Policy (NPPF) supports the sustainable growth and expansion of all types of business and enterprise in rural areas, through both the conversion of existing buildings and well-designed new buildings. This also includes the development and diversification of agricultural and other land-based rural businesses. In this case it is confirmed that the proposal is for an agricultural use. (It was confirmed in the Planning Inspector's decision in relation to appeal APP/Y2003/17/3186363 they consider the proposed use to be agricultural.) The existing agricultural business is based on arable cropping producing Miscanthus.

It is noted within the submitted Design and Access Statement that the proposal is to diversify the applicant's existing agricultural business into poultry rearing. Policy RD2 of the North Lincolnshire Local Plan applies and states that planning permission will only be granted for development which is essential to the efficient operation of agriculture or forestry and which cannot reasonably be accommodated within defined development boundaries. Given that the proposal would result in the diversification and expansion of an established agricultural business within a rural area, and that the scale of development proposed could not reasonably be accommodated in the nearest settlements of Bonby, Worlaby or Saxby All Saints, it is considered that the proposed development is acceptable in principle.

Environmental impacts

The application is accompanied by an Environmental Statement (ES) which describes and analyses the results of the Environmental Impact Assessment (EIA). The main environmental impacts identified are as follows:

Landscape impact

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

Landscape and Visual Impact Assessment (LVIA) is used to systematically identify and assess the nature and significance of the effects of a proposed development on the landscape as an environmental resource and on people's views and visual amenity. The study area for the LVIA was a 4 kilometre radius around the site to ensure coverage of all sensitive areas and receptors. The site is located on land which is defined as Open Rolling High Farmland – Lincolnshire Wolds Escarpment Top character area of the Lincolnshire Wolds Landscape Character Type, of the North Lincolnshire Landscape Character Assessment & Guidelines (NLLCA). It is worth noting that this area is no longer designated as an Area of High Landscape Value under policy LC8 of the North Lincolnshire Local Plan as this not a saved planning policy.

Section 7 (Landscape and Visual Impact) of the Environmental Statement outlines the characteristics of the site, specifically in relation to the landscape classification and its value, the use and nature of the land, the topography, field boundary cover and sites of conservation interest. It is informed by the LVIA submitted with the planning application. The ES goes on to identify the nature and location of sensitive receptors to the site and sets out a Zone of Theoretical Visibility (ZTV) to analyse the extent and distance to which the development could theoretically be visible. ZTV analysis uses terrain data only and doesn't take into account any screening that vegetation or the built environment may provide. As part of the assessment a number of viewpoint locations up to a distance of 4 kilometres from the site were selected. These included public rights of way and other accessible land such as the public highway; these viewpoints are accepted as being representative of accurate views from various distances and sensitive receptors within the vicinity of the site.

The site is devoid of hedgerow cover and is a large rectilinear field with small belts of woodland to the north-west on the escarpment and there is an existing farm building within the same field to the south-west; this is consistent with the character assessment of this area

contained within the North Lincolnshire Landscape Character Assessment & Guidelines and is highlighted in the Landscape and Visual Assessment submitted with the planning application. The vast majority of land in the surrounding area is agricultural in nature and there are examples of other agricultural holdings containing agricultural buildings in the vicinity, but very few of which are located on the top of the slope.

Given the separation distances involved it is considered that there would be no significant intervisibility with listed buildings in Bonby or with the Saxby All Saints conservation area. The line of mature trees which line the top of the scarp will screen views when looking in a north-north-easterly direction from Saxby Road (B1204) between Bonby and Saxby All Saints.

The conclusions of the LVIA are that the proposed development will have no significant effects on any of the landscape elements, landscape character or landscape designations which have been assessed as part of the application. In addition, in assessing visual effects, it states there may be moderate to slight adverse effects to some of the visual receptors which will reduce over time (once the proposed landscaping becomes established) and there will be no significant visual effects. The LVIA concludes the proposed development is considered acceptable in terms of its likely landscape and visual effects. It is worth noting that since the previous application was considered in 2017 the applicant has revised the proposals and mitigation (in terms of landscape and visual impact) in the form of the following measures:

- reduction in the length of the proposed poultry sheds from 237.5 metres to 116.88 metres
- introduction of a 20 metre deep planting belt around the perimeter of the sheds and the gapping up of existing hedges (with native planting)
- cutting into the slope by up to 3 metres to reduce the built impact of the proposal.

It is accepted that the mitigation measures (principally consisting of the landscaping and the cutting into the slope) would help to reduce the built visual impact of the proposal. However, given the scale of development proposed (four poultry sheds with a combined width of 124 metres) and its prominence on top of the escarpment, it will have a prominent visual impact in the receiving rural landscape. Furthermore, with the exception of the existing agricultural shed to the south-west there are very few buildings or settlements which are visually prominent on the escarpment top or edge and the rural landscape in this part of North Lincolnshire is reflective of the Landscape Character Type of Open Rolling High Farmland-Lincolnshire Wolds Escarpment Top as defined in the North Lincolnshire Landscape Character Assessment and Guidelines. It is considered that the introduction of these four poultry sheds (and the associated feed bins and extraction flues), regardless of their reduction in number (from 8 to 4), with an overall width of 124 metres and heights of 6.24 metres to the ridge of the sheds and 7.3 metres to the top of the flues would dwarf the existing building in terms of their built footprint, scale and visual impact. Whilst it is noted that the buildings are proposed to be orientated with their narrowest part facing towards Middlegate Lane, it would still introduce a significantly large and bulkier form of built development into the rural landscape than is currently experienced.

The Planning Inspector, in considering the previous proposal at appeal, made the following observations in respect of recreational users of Middlegate Lane and the views of the site from the lower lying farmland and river valley to the west:

'The LVIA concludes that visibility of the development would be at its highest on Middlegate Lane itself, and that the sensitivity of road users is at worst "medium". However, local residents have indicated that Middlegate Lane is a well-used recreation route for cyclists and walkers. When considering the nature of the views available from this location and the general character of the area, there is nothing before me that would lead me to question this assertion. I have also been provided with some Council literature which identifies Middlegate Lane as part of recreational walking routes. As such, while the majority of road users may simply be passing by, there is likely to be some for whom the enjoyment of the landscape is more than incidental. The sensitivity of such receptors would be high and should not be disregarded.'

and:

'From the low lying farmland, the northernmost units would be visible and these would be seen in the context of the existing sheds. These sheds stand out on the skyline and if the development were to be added to the overall built form in this location it would materially erode the mainly open and undeveloped character of the escarpment top, particularly if it is the height of feed bins and fans that are most prominent. The development would create a new defined element in the view which would draw the eye and cause material harm to the landscape. Moreover, owing to the distinct lack of other buildings on the escarpment top, the significant increase in the built form would have more than a small magnitude of impact. There would also be nearer views available from the valley bottom along Carr Lane from which the development is also likely to be more prominent on the skyline.'

It is considered that even with the mitigation measures proposed by the applicant, the proposed development would have a similar harmful visual impact upon the character and appearance of the rural landscape and to those individuals (receptors) who experience the landscape and its qualities in this part of North Lincolnshire. It is accepted that the 20 metre deep landscaping buffer would help to screen the visual effects of the development over time, but this would take time to establish and would be a direct consequence of development taking place, and this landscaping in itself would form a contrived and artificial landscaping feature on the escarpment, particularly as there are few examples along this part of the rural landscape where clusters of trees with sharp edges and in rectangular blocks are used for landscaping purposes on the escarpment top.

The viewpoints assessed showed that, although the development would be visible to some degree from most viewpoints, the potential for significant effect is limited. In terms of views from public rights of way, the viewpoint analysis shows that views of the proposed buildings will be available; these views will be at a distance but the visual impact of development relies on the implementation and establishment of the landscaping to mitigate these views. Given the site's location atop the escarpment and the regular use of local roads and public rights of way by recreational users, it is considered that the scale, size and height of this intensive livestock unit being introduced into this sensitive landscape would erode the beauty (and the enjoyment) of this part of the countryside and would cause material harm to its landscape character and visual impact. In conclusion, it is considered that the visual impact of the development would cause material harm to the landscape character and appearance of the rural landscape and the landscaping would form a contrived form of screening which is at odds with the character and appearance of the countryside. The proposal is thus considered contrary to policies RD2, RD14, LC7 and DS1 of the North Lincolnshire Local Plan, SPG5 and CS2, CS3 and CS5 of the adopted Core Strategy.

Residential amenity/odour

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

- (i) (the units are not located within 800 metres of the Scunthorpe and Bottesford Urban Area, principal or medium growth settlement; or
- (ii) within 400 metres of a minimum growth settlement; or
- (iii) within 200 metres of an individual dwelling, excluding those connected with the livestock operation.

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

However, paragraph 183 of the National Planning Policy Framework states that local planning authorities should focus on whether the development itself is an acceptable use of the land, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.

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

The proposed development is of a nature that has the potential to produce noise and odours. There are some residences in the area surrounding the site of the proposed poultry unit, the nearest sensitive receptor or residential property being approximately 530 metres to the south-west. Odour, ammonia and noise are issues that have been assessed within the Environmental Statement. The applicant has also submitted a noise impact assessment and data on odour emissions in response to the original consultation response from Environmental Health.

The Odour Impact Assessment uses computer modelling to assess the impact of odour emissions from the proposed broiler chicken rearing buildings. The odour emission rates from the proposed poultry houses have been assessed and quantified based upon an emissions model that takes into account the internal odour concentrations and ventilation rates of the

poultry houses. The odour emission rates obtained were then used as inputs to an atmospheric dispersion model which calculates odour exposure levels in the surrounding area. The assessment concludes that the results of the modelling indicate that, should the proposed development of the poultry unit at Hall Farm proceed, the concentration at the nearest sensitive receptor (Grange Farm) for the worst year is predicted to be 2.2 ouE/m³ as a 98th percentile at this location and 1.8 ouE/m³ as an average across the five years of data. Impacts at all other receptors, including those in the valley to the south, are predicted to be below 1ouE/m³ as a 98th percentile. The impact is regarded by the applicant to be negligible and not significant at residences. The supplemental information provided by the applicant odour consultant in response to the original Environmental Health response also takes into account potential cumulative odour effects from the Anaerobic Digestion Plant to the north east. Having considered the additional information from the applicant Environmental Health has no further comments to make in relation to the odour assessment for this development. It is considered that the applicant has submitted information that adequately assesses this issue and which is consistent with the recognised industry standards. In addition to this, the applicant can employ odour and dust mitigation measures which has the potential to reduce odour emissions still further; these mitigation measures are detailed within the ES.

An issue raised by the Planning Inspector in their report is the potential for passers-by to be aware of the development and the odours emanating from the poultry sheds are likely to be moderately offensive in nature. This is noted by the applicant in their additional information in that it would result in a noticeable odour to the immediate vicinity of the site, particularly after 18–20 days of the cycle. It is accepted that people enjoying the countryside in the vicinity of the site (walkers, runners, cyclists etc) would experience some extent of odour from the poultry sheds, however such an odour would be transient in its occurrence without harming the long-term enjoyment of the rural landscape.

Similarly, the Ammonia Report states the use of the proposed buildings is for the rearing of broilers from day old chicks through to finished table weight. The broiler rearing cycle operates on an all in, all out system, and each cycle takes 45 days. The broilers are reared for approximately 38 days following which the building is cleaned out in preparation for the next batch of birds. The buildings are empty for cleaning and preparation for 10 days at the end of the growing cycle. The proposed unit will operate with up to 7.5 flocks per birds per annum. At the end of each flock cycle, the poultry manure is removed from the buildings with the process taking approximately 2 hours per bird area, or 1–2 working days for the whole site. In terms of mitigation, the report states that because the proposed facility is not predicted to affect designated ecological sites (SAC, SPA, Ramsar, SSSI) the impact arising from ammonia is not significant and no further mitigation is required. The conclusions of the Ammonia Report are as follows:

‘The assessment shows that, not allowing for mitigation/offsetting of emissions, no designated ecological sites are likely to be affected by the proposed scheme, with only Natural Assets (LWS) showing impacts above 1%. The impact at the Humber Estuary is therefore insignificant, either alone or in combination with other schemes and no further assessment is required.

The results of this assessment are consistent with those for the larger (500,000 bird) schemes for which the ammonia impacts were regarded as acceptable by consultees.’

The local planning authority is satisfied that the Environmental Permit would ensure that odour and waste arising from the proposal is controlled by the Environment Agency to their statutory standards. Whilst there is the potential for odour, given the above, the local planning

authority is satisfied that that the proposed poultry unit can be regulated effectively, without causing materially detrimental levels of odour pollution to residential properties.

Noise

Concern has also been raised by interested parties in relation to the potential for noise pollution. The Noise Impact Assessment (NIA) submitted with the planning application considers the potential of noise from two sources, namely plant noise and transport noise, and has been conducted to determine the typical background noise levels at the nearest residential properties to the proposed poultry units. The NIA concludes the noise impact will be negligible during the day and evening and very low during the night and the proposed development will not result in an adverse noise impact at the nearest dwellings. The council's Environmental Health department has reviewed the NIA and raised no objection in relation to noise. Conditions are recommended in relation to the extraction fans being installed and maintained in accordance with the NIA, in respect of construction working hours and in relation to the noise levels not exceeding those stated in the NIA at any residential boundary; these conditions are considered sufficient to protect residential amenity from noise pollution in this case.

Lighting

Detailing about proposals for lighting, in particular those of an external nature, is limited, and given the rural location of the proposal, there is the potential for light pollution to impact on protected species and for the lighting up of the rural night sky. The ES states lighting on the site will be kept to a minimum to prevent light spill and no use of high intensity lighting is proposed. In light of this, a condition is recommended that should any external lighting be proposed then details of such lighting, together with its luminance levels, should be submitted for consideration. Care will need to be taken to ensure that the level of lighting is proportionate to the scale of the proposal and that any lighting scheme is not excessive for a rural landscape.

Highways

Appendix 5 of the ES contains a Transport Note. A number of objections have been received from members of the public in relation to the routing of traffic to the site (including HGVs and construction traffic), the condition of local roads being affected by the proposal, increased risk of accidents, cumulative impact from the existing anaerobic digestion plant and potential for congestion along the local highway network. The supporting information states that there have been no recorded collisions between 2014 and 2018 along the track the proposed site access will be served from. The supporting information states the following in anticipated traffic movements during each 48 day cycle:

'The development proposals will generate a maximum daily HGV movement of 16 two-way movements (8 in, 8 out) for one day during each 48 day cycle. There will also be three days generating between 20 two-way movements and 30 two-way movements. The maximum daily car, van and tractor movements which would be generated by the development proposals would be 10 two-way movements (5 in, 5 out) during day 44 of the 48 day cycle. The majority of operational days (39 in total) will generate between zero and four two-way movements.'

The supporting drawings include details of the routing for traffic to and from the site; this is from the M180–A15–B1206 (Brigg Road)–Bonby Lane for a distance of 200 metres and then

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

In addition to this it is worth noting the Planning Inspector's observations in respect of highway safety/impacts in respect of planning application PA/2017/564 (Planning Appeal 3186363) which was for a more intensive livestock operation:

'I am satisfied that the development would not result in material harm to highway safety or the road network. Even at the most intensive periods, traffic will be most likely spread throughout the day and thus the number of vehicles accessing the site at any one time will not be high. There would only be a relatively short distance between Brigg Road and the new access. This is unlikely to result in significant risks in terms of conflict with traffic from the anaerobic digestion plant.'

and,

'Interested parties have provided photographs showing damage to verges and HGVs that have fallen into ditches. Ostensibly these vehicles relate to the nearby anaerobic digestion plant. The risk associated with large vehicles meeting on this lane would be reduced by the short distances between the main road and new access. I am not convinced that additional HGV movements would inevitably result in unacceptable safety problems. Any concerns over the potential effect on Middlegate Lane could be addressed by a condition restricting access to the site from this location. There is therefore insufficient evidence to conclude that the development would have an unacceptable impact on highway safety or that the residual cumulative impacts on the road network would be severe. As above, a lack of harm in this respect is insufficient to outweigh my other concerns.'

Other issues

A flood risk assessment and drainage strategy has been submitted with the planning application. This document concludes that the site is located within flood zone 1 and the proposals are considered to be 'less vulnerable' in flood risk terms. The primary risk to the site is identified as surface water flooding resulting from the drainage network during an extreme rainfall event. It is proposed to dispose of drainage to soakaways and the report demonstrates that the flood risk to the site is reasonable and acceptable providing the surface water drainage is carried out in accordance with the method set out in the report.

Given the scale of development proposed, the topographical nature of the land and the sensitivity of groundwater in this location, care must be taken in selecting and adopting a surface water drainage scheme for the development. Given the potential to incorporate Sustainable Urban Drainage or SuDS in a drainage scheme and accounting for the response received from LLFA Drainage, a condition is recommended requiring the submission of a

comprehensive surface water drainage scheme to be agreed for the site before development commences. Such a condition would ensure that a suitable drainage scheme is agreed and that the proposed development does not result in an increased risk of flooding in the area.

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

Given the nature and scale of the groundwork associated with the construction of the new access track, the Historic Environment Record (HER) does not consider that this impact would amount to a significant adverse effect and does not wish to object to the application.

Conditions are recommended in respect of the submission and implementation of an archaeological mitigation strategy. The applicant has also revised the landscaping proposals for the site and these will secure the preservation of the archaeological remains at the site.

An ecological appraisal has been submitted as part of the ES. This appraisal concludes there will be no impact of major or intermediate significance on habitats or protected species, there will be no significant loss of habitat as a result of the proposals, the planting of trees will provide an intermediate positive effect and any potential negative impacts can be minimised through the proposed mitigation measures. Natural England has considered the proposals and discounted the site as being suitable habitat for geese and swans (including pink footed geese) on account of the growing of the *Miscanthus* crop and the proximity to a road and agricultural buildings and recommend the enhancement measures within the ecological appraisal are secured by planning condition; this is a view shared by the council's ecologist in their latest response. In addition, the council's ecologist raises no objections to the proposals and recommends conditions requiring the submission and implementation of a biodiversity management plan; these conditions would ensure the necessary biodiversity enhancement from the development (in compliance with the NPPF) and would allow for revisions to the planting scheme where it is considered necessary and appropriate.

The welfare of animals or the morality of intensive livestock units and the conditions is regulated under separate legislation and is not a material planning consideration in this case; therefore this matter will not be formally assessed. Other than in the case of the landscape impacts of the proposal (which have been assessed in an earlier section of this report), impact on view is not a material planning issue and will not be assessed in this case.

Conclusion

It is noted that the proposal would have benefits associated with it. However, the visual impact of the buildings would cause material harm to the appearance of the area and the impact on landscape character and visual impact would cause material harm and is not outweighed by the benefits of the scheme. In addition, the proposed tree planting as mitigation is considered to result in a contrived form of landscaping which is at odds with the character and appearance of the rural landscape. To this end the proposed development is considered to be contrary to policies DS1, LC7, RD2 and RD14 of the North Lincolnshire Local Plan, SPG5 and CS2, CS3 and CS5 of the adopted Core Strategy.

RECOMMENDATION Refuse permission for the following reason:

1.

The proposed intensive livestock unit, by virtue of its height (6.24 metre to the ridge and 7.3 metres to the top of the shed), scale (four sheds at 124 metres by 117 metres), mass, height and location on the top of the escarpment is considered to result in material harm to the landscape character and visual amenity of the open countryside. In addition, the proposed landscaping block is considered to form a contrived and artificial landscaping scheme which is at odds with the character and appearance of the open countryside. The proposal is thus considered contrary to policies RD2, RD14, LC7 and DS1 of the North Lincolnshire Local Plan, CS2, CS3 and CS5 of the adopted Core Strategy and SPG 5 North Lincolnshire Landscape Character Assessment and Guidelines.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



LANE

MIDDLEGATE LANE

CHURCH LANE

MIDDLEGAT

(SAXBY ROAD)

Fox Covert Plantation

Field House Farm

Saxby Wolds

Bennett's New Covert

Grange Farm

Hall Farm

Beaumontcote Farm

A15

Bonby Lodge

Manor Fa

**North
Lincolnshire
Council**

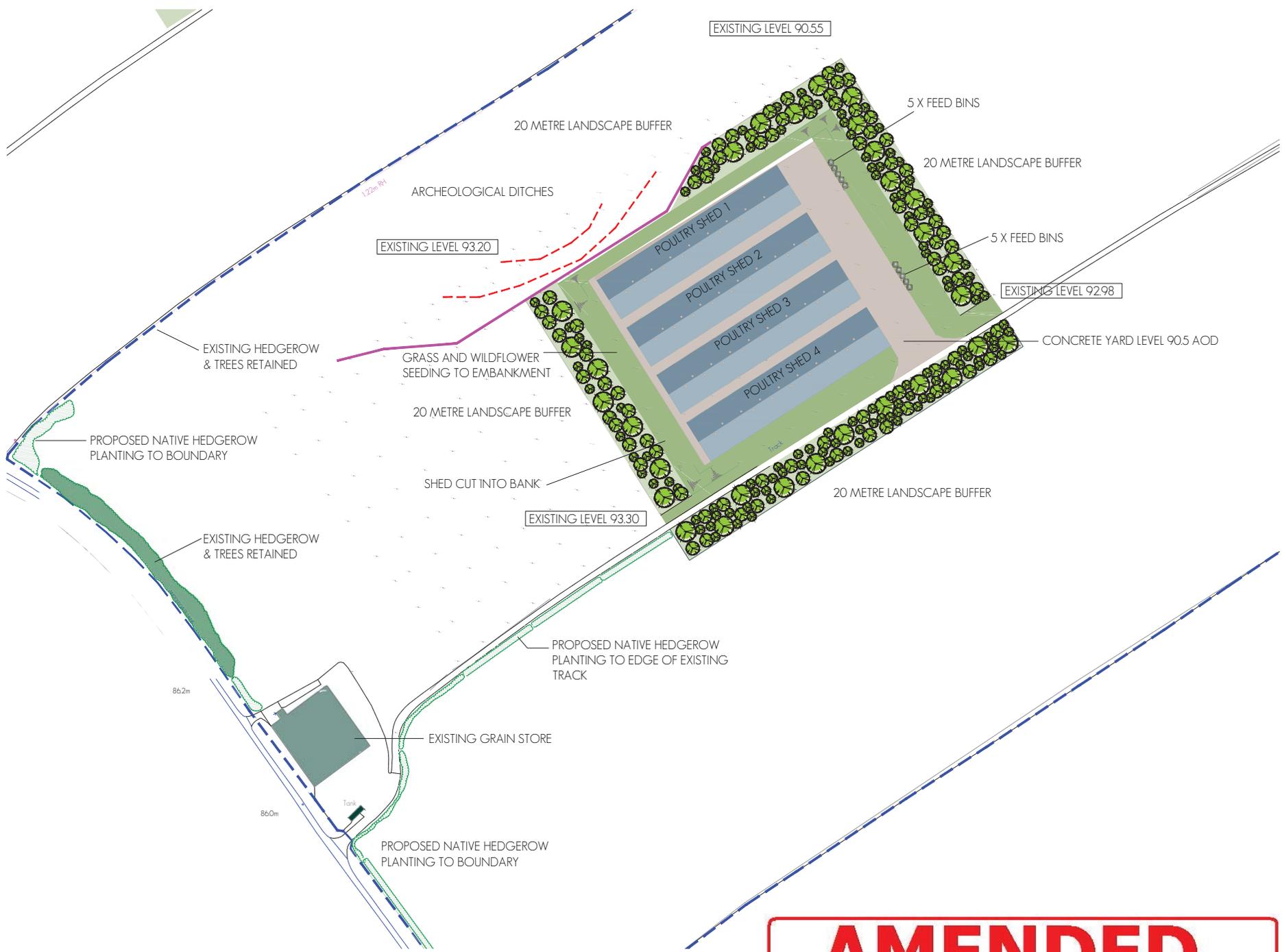
PA/2019/2064

PA/2019/2064 Proposed layout (not to scale)



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 be checked on site.

Site Area
 5.457 Ha



AMENDED

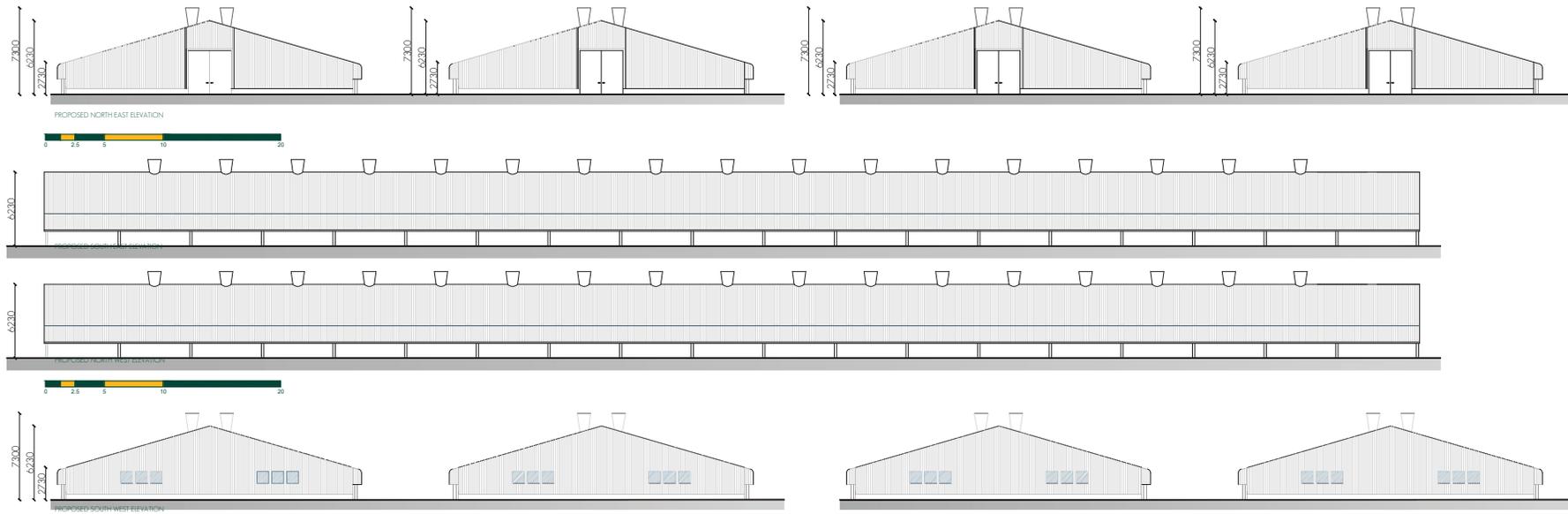
Amendments:
 A. Address information included on landscaping 2011/15
 B. Amended landscaping for archaeological ditches 18/2/2015

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Client: IEC, Ltd
 Project: Proposed Poultry Units, Hill Farm, Bonby
 Drawing: Site Plan

Drawing: SA33121_P1_02	Rev: 8	Scale: 1:1000	Plot: A1	Drawn By: AW	Date: 2015.19
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PA/2019/2064 Proposed elevations (not to scale)



Amendments

BERRYS
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Client
IEC, Ltd

Project
Proposed Poultry Units, Hill Farm, Bonby

Drawing
Proposed Elevations

Drawing
SK3121_P_04

Rev	Scale	Drawn By
1	1:200	AW

Date 2015 19