Appeal Decision

Hearing held on 27 January 2016
Site visit made on 28 January 2016

by Clive Nield  BSc(Hon), CEng, MICE, MCIWEM, C.WEM
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 February 2016

Appeal Ref: APP/Y2430/W/15/3100597
Sandy Lane, Burton and Dalby, Melton Mowbray, LE14 2ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Christopher Wesley of Agri Invest against the decision of Melton Borough Council.
- The application Ref 14/00441/FUL, dated 27 May 2014, was refused by notice dated 19 December 2014.
- The development proposed is a poultry farm (agricultural use) comprising seven poultry sheds, one farm worker dwelling and associated landscaping, drainage infrastructure and highways improvements.

Decision

1. The appeal is allowed and planning permission is granted for a poultry farm (agricultural use) comprising seven poultry sheds, one farm worker dwelling and associated landscaping, drainage infrastructure and highway improvements at Sandy Lane, Burton and Dalby, Melton Mowbray, LE14 2ER in accordance with the terms of the application, Ref 14/00441, dated 27 May 2014, and the plans submitted with it as subsequently amended, and subject to the conditions in the attached Annex.

Background Matters

2. The appeal site lies in open countryside to the south of Melton Mowbray and is accessed from Sandy Lane to the west. The village of Burton Lazars is close to the eastern side of the site, and the St Mary and St Lazarus Hospital Scheduled Ancient Monument (a large open field in appearance) is adjacent to the eastern boundary of the site between the site and the village.

3. The site was used for military accommodation in World War II, and a number of derelict buildings from that era remain. Since WWII the site has been used for various purposes: accommodation for refugees for some years; storage throughout the 1970s and early 1980s; and as a poultry farm through the 1980s and 1990s. Several temporary planning permissions have been granted since that time but the site has clearly fallen into disuse and is now largely overgrown with substantial trees both round the boundaries and amongst the buildings within the site.

4. An application for a poultry farm with 9 sheds was made in 2013 but subsequently withdrawn. The appeal application was originally made for 8
sheds but then amended to 7 sheds with capacity for 268,000 birds. A permit under the Environmental Permitting (England and Wales) Regulations 2010 was granted by the Environment Agency on 22 April 2013. That was for the 9 shed scheme and 390,000 birds.

**Application for Costs**

5. At the Hearing an application for costs was made by Mr Christopher Wesley of Agri Invest against Melton Borough Council. This application is the subject of a separate Decision.

**Main Issues**

6. The Council refused the application for 3 reasons: the visual impact on the setting of the adjoining Scheduled Ancient Monument (SAM); the impact of odour on the setting of the SAM; and the effect of odour on the amenity of nearby residents. Third parties have also raised particular concerns about the effects of dust, noise and light pollution and about effects of HGV traffic and highway improvement works on Sandy Lane, which is an ancient byway. These, and the benefits of the scheme, are the main issues to be considered.

**Reasons**

**Visual Impact on Scheduled Ancient Monument**

7. The St Mary and St Lazarus Hospital SAM lies immediately adjacent to the eastern boundary of the site and, although the scheme would not have any direct effect on the SAM itself, it has the potential to affect its setting. Founded in the 12th Century, the hospital was the most important leper colony in England and, although none of the buildings remain, excavations have confirmed that buried remains of the major buildings have survived. On the surface the former hospital complex is defined as a series of earthworks within a bank and ditch boundary. These are surrounded by a system of ditches and ponds thought to have been used for treating the sick. Nowadays the area appears as a large grass field used for the grazing of sheep.

8. Leper hospitals were specifically located away from settlements to provide isolation from society, and the open rural character of the surrounding landscape is an important feature of the SAM’s setting. However, the setting also includes the buildings and other features of Chestnut and Hall Farms to the west and the wooded appeal site to the east with glimpses of the dilapidated buildings amongst the trees. It has been assessed that the appeal site currently makes a neutral-to-positive contribution to the setting.

9. The Appellant has assessed the impact of the proposed development in the context of the conservation principles in Historic England’s *Conservation Principles Policies and Guidance (2008)*. That assessment concluded that the proposed development would have a minor-to-neutral visual impact on the setting of the SAM as the proposed landscaping measures would be sufficient to preserve, maintain and enhance the key elements of the setting.

10. Although the development would include 7 large poultry sheds, they would only be 4.56 metres high which is similar to the present nissan huts on the site, and they would be well screened. The existing screening along the eastern boundary would be further reinforced by the additional planting of mixed native varieties (some 20 metres deep) and an earth bank. Although there would be
seasonal variations and the new planting would take several years to be fully effective, I consider this would provide an effective measure to minimise the visual impact of the proposal. Screening around the other site boundaries would also minimise the visual impact on the character and appearance of the area.

11. The National Planning Policy Framework (NPPF) provides the most up to date policy basis for consideration of this issue. Paragraph 132 advises that great weight should be given to the conservation of heritage assets, and paragraph 134 says that, where there is less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimal viable use. It is well established that the setting of a heritage asset should enjoy similar protection.

12. In this case, I agree with the Appellant’s assessment that the proposal would have only a minor visual impact on the setting of the SAM and conclude that its conflict with the aims of the policies would also be minor. Thus the balance exercise prescribed in paragraph 134 falls to be considered.

**Odour Impact on Scheduled Ancient Monument**

13. Turning to the odour impact on the setting of the SAM, it is common ground that odour can be a part of the setting, which NPPF defines as “the surroundings in which a heritage asset is experienced”, and may have a detrimental impact on the significance of a SAM. The Appellant’s consultant, ADAS, has carried out a modelling exercise of possible odour dispersion and estimates that a 5 year mean 98th percentile hourly average odour concentration of 4.59 ouE/m³ (European odour units per cubic metre of air) would be experienced at the SAM. This is within the benchmark range of 3-5 ouE/m³ considered acceptable in such a location and referenced in the Environment Agency’s guidance on odour management at intensive livestock installations (NB The range 3-5 ouE/m³ is taken to indicate “odour may be detectable and identifiable, but most observers would only describe it as faint”).

14. The use of a single measurement point tends to simplify the possible impact on the SAM as, quite obviously, higher levels of odour would be likely to occur on parts of the land closer to the appeal site than those further away. However, given the variability of the model inputs, particularly climatic variation, it is sufficient to enable a reasonable assessment to be made.

15. The Council argues that the use of a 98th percentile measure indicates that the odour levels would be higher for 2% of the time and also submits that higher levels would also be expected during each regular cleaning-out operation at the end of each cycle of birds. The Appellant disputes this and says the latter can be closely controlled to ensure odour levels higher than normal would not be released, and it puts forward an Odour Management Plan to show how this could be achieved. This seems to be a workable plan, and I am satisfied that, if it were followed, higher odour levels would be avoided during this part of the cycle.

16. In assessing the impact of odour on the setting of the SAM, one should bear in mind that it lies in the open countryside and experiences normal countryside odours, that the field is currently used for the grazing of animals, which gives rise to its own odours, that it is close to 2 farm complexes and that it is subject
to only infrequent visitors. Whilst it is always possible that at some time in the future the SAM may attract more concerted archaeological investigations, I consider the level of odour predicted would not significantly affect perceptions of the SAM, bearing in mind its frequency of occurrence and countryside setting. Whilst it cannot be completely discounted, I consider it would fall quite low in the scale of “less than substantial harm to the significance of a designated heritage asset” (NPPF paragraph 134).

17. I conclude that its conflict with the aims of the NPPF policies would be minor. Nevertheless, the balance exercise prescribed in paragraph 134 falls to be considered.

18. A number of criticisms of the modelling assessment have been raised. The main ones concern the assumed odour emission rate per bird, which is clearly critical to the modelling results. ADAS has used a rate of 0.49 ouE/s/bird, which can be compared with the rates recommended in the Environment Agency’s guidance document on Odour Management at Intensive Livestock Installations (IPPC SRG 6.02). For broiler chickens (with conventional VEA housing) the guidance recommends a mean rate of 0.19, a minimum of 0.07 and a maximum of 0.41 ouE/s/bird. Thus 0.49 is very a conservative measure, and it is not unreasonable to take it to be more representative of likely emissions at the end of the rearing cycle than as an average.

19. The Parish Council has taken criticism of the assumed rate of emission further by drawing my attention to a research report produced for the Environment Agency in 2012. This found a higher emission rate of 2.24 ouE/s/bird at an intensive livestock establishment which, if used at the appeal site, would give substantially higher predictions. I do not know how the circumstances of that site would compare with the appeal proposal. However, the Environment Agency has clearly not considered the findings of that study to be so significant as to justify revising its own guidance document, and I consider that guidance to carry more weight than a single research finding.

20. The Council’s Environmental Health Officer considered the Appellant’s Odour Assessment to be satisfactory and, despite the arguments put by other parties, I have reached the same conclusion. These criticisms do not affect my conclusion above that the effect of odour on the setting of the SAM would be quite limited, and its acceptability to the significance of the heritage asset falls to be considered against public benefits under NPPF paragraph 134.

**Effects of Odours on Nearby Residents**

21. The same odour assessment predicted 5 year mean 98th percentile hourly average odour concentrations of between 2.19 and 2.49 ouE/m$^3$ at the closest residential properties (at Burton Hall) and less than 1.4 ouE/m$^3$ at other properties in the village. I have explained above why I consider the ADAS assessment to be reasonable and, indeed, conservative. These values fall well below 3 ouE/m$^3$, the level at which odours are generally considered to be recognisable (as advised in the Environment Agency guidance document).

22. At these levels the impact on residential amenity would not be significant, even at the closest properties and even though the village is situated downwind (for the prevailing wind direction). The relevant policies on this matter are saved Local Plan Policy C3, which lists criteria for agricultural buildings including effects on amenity due to noise, smell, dust and other pollution, and NPPF.
paragraphs 109 and 120, which aim to safeguard against pollution. My conclusion is that the proposed development would be in compliance with these policies.

**Effects of Dust**

23. I turn now to several additional matters raised by the Parish Council and local residents. The first is the incidence of dust, which can give rise to health issues. Fine dust particles less than 10 microns diameter, PM$_{10}$, are respirable and are the most important so far as health risks are concerned. The village is downwind of the appeal site and so is susceptible to any such emissions from the proposed development.

24. Dust may be generated from the bedding, feed and even the birds themselves, and the Parish Council alleges that 14 tonnes of PM$_{10}$ per annum would be generated by the proposed operations, which it says is based on the latest Environment Agency figures. However, the basis for this estimate has not been clearly explained, and the matter has not given rise to any concerns on the part of either the Environment Agency or the Council’s Environmental Health Officer. In fact, the Environment Agency has issued an environmental permit for a scheme with almost 50% more birds than the current scheme, clearly of the conclusion that risks to health would be acceptable. The covering letter for the permit specifically says “We’re satisfied that you can carry out your activities in accordance with the enclosed permit, without harm to the environment or human health”.

25. In the absence of convincing evidence to the contrary, I can only reach the same conclusion based on the advice of the relevant experts. I conclude that the scheme would give rise to negligible risks to health due to fine dust.

**Effects of Noise**

26. The incidence of noise from HGVs reversing on the site and from the roof-mounted extraction fans has been raised, particularly if the noise should arise at night. A suitable condition would provide adequate control over the noise from the fans, and it has been explained that noisy operations, such as those involving HGVs, are not carried out at night on poultry farms in the interest of the wellbeing of the birds themselves.

27. The Council’s environmental health officer raised no concerns on the matter of noise, and I consider it unlikely the poultry farm would give rise to noise that would have an unacceptable effect on the amenity of nearby residents.

**Effects of Light Pollution**

28. Concerns have also been raised about light pollution, particularly as this area of countryside appears relatively dark at present. The Appellant has indicated that the farm would not be brightly lit at night as that would be detrimental to the wellbeing of the birds, and a suitable planning condition has been proposed requiring the lighting scheme to be subject to approval by the Council.

29. I consider this would provide adequate safeguards against intrusive light pollution.
Effects on Sandy Lane

30. Finally, the effects of the HGV traffic generated have been raised, particularly the effects on Sandy Lane, which is a narrow ancient byway. The proposed farm would give rise to some 120 round trips per rearing cycle (approximately 7 weeks), of which about half would occur during the week when the sheds are cleaned-out. It is contended that Sandy Lane is not suitable for HGV traffic.

31. To alleviate the effects of HGV traffic on Sandy Lane the Appellant has entered into a Section 106 Undertaking, which would ensure the route of HGV traffic was controlled to minimise the length of the lane affected and that a series of passing places were provided along that length to facilitate such large vehicles. The route would be to the south from the site entrance and then west to join Dalby Road, where most traffic would be likely to travel north into Melton Mowbray. The highways authority considers this proposal to be acceptable in terms of highway safety and the feasibility of constructing the passing places.

32. It has been suggested that the construction of the passing places would harm the historic character of the ancient byway. However, it is no doubt already much changed from its historic character, and the passing places would not affect the line of the route. Sandy Lane is also part of the National Cycle Network and is a popular horse riding route but the highways authority’s assessment will have taken that into account, and the Council’s Rights of Way Officer has raised no objection.

33. Whilst there is merit in trying to minimise the use of Sandy Lane by HGV traffic, it must also not be forgotten that the appeal site has been used in the past for a range of commercial businesses and could revert to some sort of business use in the future. Thus an element of HGV traffic on Sandy Lane would appear unavoidable.

34. Whilst much interesting information on the history and use of the lane has been provided, no substantial evidence has been put forward that would lead me to reach any different conclusion from the highways authority. Subject to the proposed improvements and HGV route controls contained within the Section 106 Undertaking, the limited use of Sandy Lane for HGV traffic would not be unacceptably detrimental to either the highway safety or the character of the lane.

Benefits of the Scheme

35. Turning now to the benefits of the scheme, the Appellant has explained that there is a market demand for UK sourced “high welfare” poultry, which the farm would help to meet, and that the proposed operator is Moy Park, one of the UK’s largest producers of poultry. The scheme would provide economic growth and jobs to the benefit of the local economy, and the NPPF places significant weight on the need to support economic growth.

36. The Council acknowledges these benefits and the support provided by national policy. However, the Parish Council is sceptical and submits that the benefits would be balanced by reduced activity at the village hall, due to the impact of odours, and a longer term negative impact on the sustainability of the village. I do not agree with that assessment. I have concluded above potential odours would not have a significant effect on the amenity of even the nearest residential properties, which are only some 200 metres from the site. The
village hall is over 500 metres away, and I consider the impact there would be negligible.

37. The Section 106 Undertaking also includes provision for training opportunities for trade apprentices/students from local educational establishments during the construction of the proposed farm and, although only a quite limited additional benefit, it further reinforces the economic benefits the scheme would bring.

38. Reuse of the redundant brownfield site is also a significant benefit supported by national policy. The existing structures are in poor condition, and the site has been subject to vandalism and fly-tipping in recent years. Redevelopment of the site would make productive use of disused land and deter the incidence of antisocial behaviour in the area. The Parish Council argues that these benefits could be gained by alternative less intrusive uses of the site and, no doubt, that is true. However, it could also be the subject of proposals for more intrusive uses, and the appeal proposal has to be assessed on its own merits.

39. I consider that these economic and environmental benefits are valuable benefits that warrant significant weight in accordance with national planning policy.

**Overall Conclusion**

40. I have concluded above that the proposed scheme would have a minor visual impact on the setting of the Scheduled Ancient Monument and that the effect of odour on the setting of the SAM would also be quite limited. I have further concluded that the impact of odour on the amenity of local residents would not be significant, that risks to health from dust would be negligible, that noise generated would be unlikely to have an unacceptable effect on amenity, and that adequate controls could be applied to ensure there would be no intrusive light pollution. I have also reached the conclusion that, subject to the proposed improvements and controls over HGV routing, the scheme would not be unacceptably detrimental to highway safety or to the character of Sandy Lane.

41. Overall, I conclude that the detrimental effects of the proposed development would be quite limited, whilst the economic and environmental benefits would be significant. I consider these would outweigh the detrimental effects, including any harm to the setting of the SAM or to its significance. On balance the proposed development would comply with development plan and national policy.

42. For the reasons given above I conclude that the appeal should be allowed and that planning permission should be granted subject to a number of necessary conditions. A list of conditions has been provisionally agreed between the main parties in the Statement of Common Ground, and that has formed the basis for my consideration of appropriate conditions.

43. Several conditions are needed in the interests of visual amenity to control the external appearance of the buildings and the landscaping measures and to limit the arrays of solar panels. Some conditions have been proposed in relation to works to the highway and the access junction but these largely duplicate the provisions of the Section 106 Undertaking, and the only one needed is that for the HGV route control measures to be specified. To ensure safety and access along public highways and byways is maintained during the construction period conditions are needed to keep mud off the road, control car parking and keep
restricted byway D106 (part of the site access lane) open. They are also needed to ensure permanent parking and turning facilities are provided at the farm and dwelling house and the access lane is surfaced near the road.

44. Two conditions have been put forward to ensure the surface water from the site is dealt with by a sustainable drainage system, though only one is needed, and that needs to include provision for long term maintenance of the system. In view of the past history of the site, conditions are needed in respect of ground investigation and possible remediation measures, the inspection and recording of all current buildings and building remains, and a programme of archaeological investigations before the site is unduly disturbed.

45. A number of matters have been raised in connection with possible impacts on the amenity of nearby residents, and conditions are appropriate to safeguard these matters: the noise levels of machinery; the number of chickens permitted (to limit odour emission); and external lighting. An additional condition was suggested to limit the hours of HGV operation and I consider that would provide a worthwhile additional safeguard in respect of both noise and lights. Controls are also needed on the management of waste on the site, particularly the periodic cleaning-out operations, and a condition for a Waste Management Plan would provide this control. It has been suggested that the timing of these cleaning-out operations should be controlled (for example, to avoid weekends) but I consider the Waste Management Plan would be sufficient. In addition, a condition requiring general compliance with the details in Chapter 5 of the Environmental Statement (The Project) would safeguard other amenity matters.

46. Protection of ecological matters has not been an issue between the parties as these can be safeguarded by a series of conditions: newts, bats, badgers, owls and birds. Finally, the scheme includes special provision for a new dwelling for occupation by the farm manager and, in view of the strong policies against the construction of unjustified isolated dwellings in the countryside, conditions are needed to ensure it can only be used as an agricultural workers dwelling.

Clive Nield
Inspector
APPEARANCES

FOR THE APPELLANT:

Mrs Maria Boyce, BA(Hon), MRTPI
Mr Dorian Crone, RIBA, MRTPI, IHBC
Mr Daniel Cummins, MA, PhD
Mr Robert Edwards, BSc, MSc, MIEMA
Mr Adrian Burr

Agent, Savills (UK) Ltd.
Heritage Consultant.
Heritage Consultant (assistant).
ADAS (UK) Ltd.
Managing Director, Agri Invest.

FOR THE LOCAL PLANNING AUTHORITY:

Mr Jim Worley, BA, BTP, MRTPI
Mrs Jennifer Wallis, BSc, DipTP, MRTPI

Head of Regulatory Services, Melton BC.
Planning Officer, Melton BC.

INTERESTED PERSONS:

Mr John Coleman, BSc
Miss Beth Johnson,
Dr Ian Chapel, BSc, PhD
Mr John Moore
Mr Gerald Digby
Dr A C Saunders
Mrs Cynthia Roobottom
Mr Mark Chapman
Ms Gill McCord
Mr Dean Greasley
Mrs Rosemary Bridges

Local resident, and representative of Leicestershire and Rutland Bridleway Association.
Representing Burton and Dalby Parish Council.
Ditto.
Local resident.
Former Chairman, Parish Council.
Local resident.
Ditto.
Ditto.
Ditto.
Ditto.

DOCUMENTS SUBMITTED AT HEARING

1. Completed and signed Section 106 Unilateral Undertaking, submitted by Appellant.
2. Copy of letter from County Archaeologist to the Planning Officer, dated 13 November 2014, commenting on effects on the Scheduled Ancient Monument.
3. Proposed Policies Map, indicating draft proposals for extension of Melton Mowbray along southern edge in emerging Development Plan, submitted by Appellant.
Statement submitted by Ward Councillor Janet Simpson.
Copy of letter submitted to PINS by Mr & Mrs MA Rowe, dated 10 November 2014.
Application for an Award of Costs, submitted by Appellant.
Council’s response to Costs Application, submitted to agreed timetable after close of hearing.
Appellant’s final comments on Costs Application, submitted to agreed timetable after close of hearing.

PLANS

The application plans are as listed in Section 2.4 of the Statement of Common Ground agreed between the Appellant and the Council, dated 20 August 2015.
ANNEX of Conditions

1. The development shall be begun before the expiration of three years from the date of this permission.


3. No development shall start on site until all external materials to be used in the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

4. No development shall start on site until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall indicate full details of the treatment proposed for all hard and soft ground surfaces and boundaries together with the species and materials proposed, their disposition and existing and finished levels or contours. The scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained in their entirety, unless otherwise agreed in writing by the Local Planning Authority, together with measures for their protection in the course of development. These details shall include, as appropriate:
   - retained historic landscape features and proposals for restoration, where relevant;
   - planting plans;
   - written specifications (including cultivation and other operations associated with plant and grass establishment);
   - schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
   - implementation timetables.

5. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development 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.

6. No development shall commence on site until appropriate measures have been approved by the local planning authority that restrict the movement of HGVs to using Sandy Lane to the south of the site and not that section to the north of the site, such measures to include the provision of appropriate signage. The approved measures shall be put in place before development commences, and thereafter all HGV movements (including construction traffic) shall comply with these measures, and all associated signage shall be permanently so maintained.
7. For the period of the construction, the applicant shall take measures to ensure that the highway is kept free of mud, water, stones etc, in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.

8. For the period of the construction of the development, vehicle parking facilities shall be provided within the site, and all vehicles associated with the development shall be parked within the site.

9. Before the development is first brought into use, staff car parking shall have been provided, hard surfaced and made available for use within the curtilage of the site in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Once provided the parking facilities shall thereafter be permanently so maintained.

10. The car parking facilities (including the garages) shown within the curtilage of the dwelling shall be provided, hard surfaced and made available for use before the dwelling is occupied and shall thereafter be permanently so maintained.

11. Before first use of the development, the access road shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 20 metres behind the highway boundary and shall be so maintained at all times.

12. Before first use of the development hereby permitted, the proposed turning facilities shown within the site shall be provided, hard surfaced and made available for use in order to allow vehicles to enter and leave in a forward direction. The turning area so provided shall not be obstructed and shall thereafter be permanently so maintained.

13. The restricted byway (D106) shall be kept safe, open and available whilst construction work is undertaken. No machinery or building materials shall be stored on the right of way and no new structures (gates or other barriers) shall be placed across the route of the right of way.

14. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall demonstrate the surface water run-off generated up to and including the “100 year plus climate change” critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of how the scheme shall be maintained and managed after completion;
- surface water drainage system/s to be designed in accordance with either the National SUDS Standards, or CIRIA C697 and C687, whichever are in force when the detailed design of the surface water drainage system is undertaken.
15. The rated noise level from all fixed machinery shall not exceed the background level as determined by British Standard 4142:1997 at the external façade of the nearest noise sensitive receptor. The rated noise level shall include a 5dB character correction where appropriate.

16. The number of broilers housed at the facility at any one time shall not exceed 268,000.

17. Prior to the commencement of development, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unexpected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

18. No demolition/development shall take place until a programme of archaeological work, informed by an initial phase of trial trenching, has been detailed within a Written Scheme of Investigation. Proposals for both stages of archaeological work (initial trenching and final mitigation) shall be submitted to and approved in writing by the Local Planning Authority. They shall include an assessment of significance and research questions; and:

- the programme and methodology of site investigation and recording;
- the programme for post-investigation assessment;
- provision to be made for analysis of the site investigation and recording;
- provision to be made for publication and dissemination of the analysis and records of the site investigation;
- provision to be made for archive deposition of the analysis and records of the site investigation;
- nomination of a competent person or persons/organisation to undertake the work set out within the Written Scheme of Investigation.

19. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 18.

20. The development shall not be utilised until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 18 and provision made for analysis, publication and dissemination of results, and archive deposition has been secured.

21. A site inspection and historic building recording shall be undertaken in advance of any site clearance or development works likely to impact upon the integrity of the standing structures. The site inspection shall also include a walkover survey and targeted recording of the development area to identify the presence of and record evidence of the contemporary military and post-war Polish use of the site. The details of the inspection and historic building recording shall be submitted to and approved in writing by the Local Planning prior to commencement of development.
22. No development shall commence until a Great Crested Newts mitigation plan, the broad outlines of which are in the EMEC report, 09/10/14, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plan.

23. No development shall commence until the proposed mitigation measures in relation to bats have been implemented in accordance with section 6.4.1 of the Ecology report (EMEC Oct 2012), with additional pre-demolition survey (as more than two years have elapsed since the EMEC survey).

24. No development shall commence until the proposed mitigation measures in relation to badgers have been implemented in accordance with section 6.5 of the Ecology report (EMEC Oct 2012), with additional pre-demolition survey (as more than two years have elapsed since the EMEC survey).

25. No development shall commence until the proposed mitigation measures in relation to the impacts on Barn Owls have been implemented in accordance with section 6.6 of the Ecology report (EMEC Oct 2012), with additional pre-demolition survey (as more than two years have elapsed since the EMEC survey).

26. Site clearance shall only take place outside the bird nesting season.

27. Prior to the commencement of development a detailed scheme for any external lighting to the permitted development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved lighting scheme.


29. The development hereby permitted shall be constructed and operated in accordance with the details submitted in the Environmental Statement, Chapter 5, 'The Project'.

30. The development hereby submitted shall not be brought into use until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Waste Management Plan shall include the following features:

   a) Only one shed should be cleaned out at a time.

   b) The shed which is being cleaned out should operate with the minimum amount of ventilation consistent with safe operating conditions and the provision of inward air movement through the doorway (so that emissions are predominantly dispersed through high level fans).

   c) No sheds should be cleaned out until at least four sheds have been destocked at the end of each crop.

   d) Fans should be switched off, and doors kept closed, in sheds which have been destocked until they are cleaned out.

The development shall be operated in accordance with the approved details at all times.
31. HGVs shall not operate on the site outside the hours of 0700 hrs to 1900 hrs.

32. The occupation of the dwelling shall be limited to a person solely or mainly working or last working as such in the locality in agriculture (or in forestry), as defined in Section 336 of the Town and Country Planning Act 1990, or a widow or widower of such a person and to any other resident dependants.

33. The dwelling hereby permitted shall not be occupied until the seven poultry buildings have been constructed and are ready to house the first crop of birds.