



Appeal Decision

Site visit made on 6 February 2024

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2024

Appeal Ref: APP/T3725/W/23/3324807

Land at Ward Hill, Warwick Road, Norton Lindsey, Warwickshire CV35 8JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr A Audhali against the decision of Warwick District Council.
 - The application Ref is W/19/1133.
 - The development proposed is a hybrid planning application consisting of:
 - Full planning application for the erection of two replacement poultry houses for poultry rearing (pullets) and the repositioning of existing access; and
 - Outline planning application for the erection of a farm manager's dwelling.
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Decision

1. The appeal is allowed, and planning permission is granted for a hybrid planning application consisting of Full planning application for the erection of two replacement poultry houses for poultry rearing (pullets) and the repositioning of existing access, and Outline planning application for the erection of a farm manager's dwelling, at Land at Ward Hill, Warwick Road, Norton Lindsey, Warwickshire CV35 8JD in accordance with the terms of the application, Ref W/19/1133, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of the development above is taken from the Council's decision notice and the appeal form, as it more accurately describes the proposal than that contained in the planning application form. The above description is confirmed in the appellant's appeal statement.
3. During the course of the appeal a revised National Planning Policy Framework (the Framework) was published on 19 December 2023. However, apart from paragraph numbers, any policies in the Framework that are material to this decision have not fundamentally changed. I am therefore satisfied that this has not prejudiced any party. I have had regard to the latest version in reaching my decision.

Procedural Matters

4. At the time the application was determined by the Council's Planning Committee, insufficient information had been submitted to satisfy the Highway Authority of the type of vehicles visiting the site and insufficient tracking data to demonstrate the vehicles could manoeuvre and leave the site in a forward gear in the interest of highway safety. The application was refused for a single reason based on technical highway grounds.

5. By the time the appeal was lodged the appellant had sought to address the highway authority concerns, which will be discussed in more detail later. On receipt of the additional information, the Highway Authority no longer objects to the proposal, subject to the imposition of conditions. Hence, the Council no longer has grounds to withhold planning permission.
6. The Planning Inspectorate's appeal guidance¹ states that the appeal process should not be used to evolve a scheme as it is important that what was considered by the Inspector is essentially what was considered by the local planning authority, and on which views of interested persons were sought. It goes on to state that the Inspector must consider if the amendment might prejudice anyone involved in the appeal or if the amendment would result in impacts on people or the environment that have not been properly assessed.
7. When the appeal was lodged the highway matter had been resolved and the appellant's Appeal Statement includes information to that effect and the Council's Appeal Statement confirms this. Interested parties have been notified of the appeal and so would have been able to view the additional submitted information and been made aware of the resolution of the technical highway matter and that there was no longer a reason to withhold planning permission. They would also have seen both the Council's and appellant's appeal statements. No changes have been made to the poultry units, farm manager's dwelling, the access or the nature of the proposal.
8. I am therefore satisfied that interested parties have had the opportunity to comment on the technical highway information as part of the appeal process. The Highway Authority would have been aware of previous concerns and comments by interested parties. The fact the Highway Authority has not commented on any further comments from interested parties is not determinative in this case, especially as consultees are not obliged to do so. In any event the comments of interested parties have been submitted to me as part of the appeal process. Hence, I am satisfied I am able to determine the appeal without prejudice to any party.

Main Issues

9. In light of the above, and as the site lies within the West Midlands Green Belt, the main issues in this case are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - The effect on the openness of the Green Belt and purposes of including land within it;
 - The effect of the proposed development on highway safety with regard to vehicle movements on site, and
 - If the proposed development constitutes inappropriate development in the Green Belt, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

¹ Procedural Guide: Planning appeals – England (updated June 2023)

Reasons

Whether inappropriate development in the Green Belt

10. The proposal would involve demolition of two existing derelict poultry buildings on the appeal site, and the erection of a farm manager's dwelling and two new agricultural buildings for the keeping and rearing of young chickens (known as pullets).
11. The Government attaches great importance to Green Belts. The Framework identifies that the fundamental aim of national Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that 'inappropriate development' in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework regards the construction of new buildings as inappropriate development in the Green Belt, subject to a number of exceptions set out in paragraph 154 (formerly paragraph 149).
12. Policy DS18 of the Warwick District Local Plan (the 'Local Plan') seeks to protect Green Belt and states that the Council will apply national planning policy to proposals within the Green Belt. It includes links to other Local Plan policies that expand upon the meanings of the Framework exceptions. I am satisfied that Policy DS18 is broadly consistent with the Framework.

Poultry buildings

13. One of the Green Belt exceptions in the Framework is paragraph 154a) that allows "buildings for agriculture and forestry".
14. There is no dispute between the parties that the site has an agricultural use, and that the proposal falls under the definition of agriculture, and from the evidence I have no reason to take a different view. The proposal would therefore involve the erection of 2 buildings for agriculture.
15. The proposed poultry buildings would each measure approximately 60m long x 12.14m wide x 4.79m in height to the roof ridge, with a combined floor area of about 4,456.8 sqm. Neither the Framework nor Policy DS18 places a restriction on the size of agricultural buildings allowed as an exception.
16. The proposed poultry buildings would therefore fall within exception 154a) of the Framework and would be not inappropriate development in the Green Belt.

Farm manager's dwelling

17. The erection of a farm manager's dwelling is a dwelling and not a building for agriculture, even though it would be occupied by someone working in the associated on-site poultry business. The proposed dwelling does not fall within any of the exceptions for new buildings in the Green Belt. Consequently, the farm manager's dwelling would be inappropriate development in the Green Belt.

The effect on openness of the Green Belt

18. The Framework identifies that the essential characteristics of Green Belts are their openness and their permanence. Whilst there is no definition of openness in the Framework or the development plan, it is established that openness has

both a spatial and a visual aspect, regardless of how visible the site and the development would be. Different factors are capable of being relevant to openness depending on the particular facts of a specific case. Hence the effect on openness is a matter of planning judgement.

19. The Courts² have held that where development is found to be 'not inappropriate' when applying [paragraphs 154 and 155 of] the Framework, the impact on openness is implicitly taken into account in the listed exceptions (unless there is a specific requirement to consider the actual effects on openness), and hence the development should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land in the Green Belt.
20. There is no additional 'openness' requirement when considering buildings for agriculture and forestry under paragraph 154a). Hence there is no requirement for me to assess the impact of the two proposed poultry buildings on the openness of the Green Belt or the purposes of including land in the Green Belt.
21. However, the proposed farm manager's dwelling is inappropriate development and there is a requirement to consider its effect on the openness of the Green Belt. The dwelling would take up space on the ground, and have a volume, massing and bulk and would be additional permanent built form on the land. Hence the openness of the Green Belt would be reduced. That said, views of the dwelling would be minimal as it would be single storey and screened behind new hedge planting and the proposed dwelling would be within the confines of the site and that of the previous poultry units, such that the harm to openness would be moderate.
22. Nonetheless, the farm manager's dwelling would reduce openness and cause harm to the Green Belt for the purposes of the Framework and Local Plan Policy DS18.

Highway Safety

23. The poultry would arrive as chicks on lorries and be reared to close-to-lay birds in about 18-weeks, at which point they will be collected on lorries and transferred off-site to a specialist egg-production location. The buildings would be able to accommodate some 20,478 birds per 18-week cycle, producing on average 2.3 batches per year.
24. The appellant submitted a Transport Assessment with the application. Depend on the various growth cycles of the pullets the business would generally require the following vehicle visits: 1 lorry every 20 weeks to deliver the chicks; 1 lorry every 20 weeks to deliver shavings; 1 lorry every 20 weeks to collect manure; 4 lorries every 20 weeks to collect the pullets; 1 lorry every week during an 18-week cycle to deliver feed, and 1 lorry a week to collect fallen stock. Not all of the lorries would arrive at the same time. The vehicles would be rigid (not articulated apart from the manure that is most likely to be a farmer's tractor with trailer), and maximum vehicle length would be about 11.73 metres.
25. The proposal would involve closing up the existing site access, which is located approximately in the middle of the site frontage and forming a new access

² *Lee Valley Regional Park Authority, R v Epping Forest District Council & Anor (Rev 1)* [2016] EWCA Civ 404

towards the eastern end of the site's frontage with Warwick Road. This would be more centrally located within the inside bend of the road. On my visit I observed that the proposed location of the new access would afford road users and visiting vehicles good visibility in either direction, and that visibility would be better when compared to the existing access/egress point. This is endorsed by the Highway Authority and the Council who have no issue with the position of the new access/egress point.

26. A number of third parties raise concerns about the increased number of heavy vehicle traffic movements on the local roads. However, the Highway Authority has raised no objection to the number of vehicles using the site or their impact on the local road network. In the absence of substantial evidence to the contrary I have no reason to disagree with the Highway professionals on this matter.
27. Notwithstanding this, the Highway Authority had doubts that large vehicles that would service the site, including for feed supplies and bird collection, would be able to manoeuvre on site in order to exit the new access point in a forward gear in the interest of highway safety. They raised concerns over the actual vehicles used in the swept path analysis and hence doubted the accuracy of the results.
28. The appellant has since submitted further information, which includes details of the actual lorries that the various companies would use to visit the site such as for feed supplies, delivery of the baby chicks and the later collection of the pullets. Hence a more accurate vehicle tracking swept path analysis was carried out. A Stage 1 Road Safety Audit was also undertaken and submitted.
29. From this, the Highway Authority has been able to ascertain that the lorries will be able to manoeuvre on site so as to be able to leave in a forward gear. The Safety Audit shows the proposal would provide an appropriate and safe access. As a result, the highway authority is now satisfied and no longer raises an objection, subject to the imposition of a number of conditions. From the submitted evidence before me, and in the absence of substantial evidence to the contrary, I have no reason to take a different view.
30. Accordingly, the proposal would accord with Local Plan Policy TR1, which seeks amongst other things, to ensure that development provides safe and suitable access, and that development is not detrimental to highway safety.

Other Matters

Previous decisions and appeals

31. I am aware there have been poultry units on the site in the past, and indeed I saw their derelict remains on my site visit. I am also aware there have been a number of planning applications and appeals³ for replacement poultry units and a farm manager's dwelling and considerable local opposition to them. The last appeal was dismissed in 2010 for its adverse impact on the character of the area and odour control issues - I will consider those specific issues later for completeness, although the Council has no concerns with them.

³ LPA ref: W/08/0145 & W/08/0146 - appeal dismissed May 2010
LPA Ref: W/05/1754 & W/05/1755 - appeal dismissed April 2007

32. Whilst other appeal decisions can be material considerations, all decisions turn on their own particular circumstances based on the evidence before those Inspectors at the time. From the limited evidence before me, the previous proposals were of a different scale. The 2007 appeal was for 39,000 birds and the 2010 appeal for 44,000 birds, later reduced to 39,000 birds. By contrast the current appeal proposal is for an operation of about half the size, with about 20,478 birds for egg production. Furthermore, the previous applications and appeals pre-date the adoption of the Local Plan in September 2017 and the first publication of the Framework in March 2012. The previous Inspectors would therefore have determined the appeals against different facts, evidence and a different local and national policy context.
33. Therefore, I am unable to make any meaningful comparisons between previous appeals and the one before me. In any event, I must consider the appeal on its own merits and based on the evidence before me.

Odour

34. I saw that the nearest residential property was adjacent on Warwick Road, which I am told is about 40 metres away, and others further away on New Road.
35. From the submitted evidence it would appear the previous appeals lacked sufficient supporting information. As the current proposal would be for less than 40,000 birds it falls below the threshold for intensive poultry farming and below the threshold for regulation by the Environment Agency under the Environmental Permitting Regulations.
36. During determination of the planning application by the Council, a number of technical reports were submitted to address risks from odour, ammonia and Bio-Aerosols⁴. The Council's Environmental Health team had discussions with the appellant's consultants to clarify some details and also commissioned its own independent specialist (Ricardo AEA) to review the submitted documentation. The Council's Environmental Health team then reviewed Ricardo's comments.
37. The main potential source of odour is from cleaning out the buildings after the pullets are collected, when spent litter would be removed and odour levels would be at their highest. Based on the 18-week bird cycle, cleaning out would occur about 3 times a year but would last for a short period (hours). Ricardo AEA was satisfied this short-term impact could be managed through suitably worded conditions, to secure some further actions in addition to the submitted Odour Management Plan. Day-to-day odour emissions would be unlikely to have an adverse impact on local residents.
38. Ricardo AEA found the technical reports had been carried out to a high standard using robust methodologies in line with best practice guidance and had used a conservative approach to assess the potential impacts on local amenity. Mitigation measures were also found to follow best practice guidance. Following no objections from the Council's Environmental Health team, the Council raised no objection, subject to the imposition of conditions.

⁴ Bio-Aerosols are a subcategory of particles released from terrestrial and marine ecosystems into the atmosphere. They can consist of both living and non-living components, such as fungi, pollen, bacteria and viruses.

39. Public Health England commented on the application, although the proposal would be below the intensive-poultry threshold of 40,000 birds to trigger consultation. It stated that the modelling assessments found the impact from the proposal would be low and adverse effects at residential properties unlikely. It asked the Council to impose a number of conditions to ensure that mitigation measures would be in place to control and minimise emissions.
40. In the absence of substantive evidence to the contrary I have no reason to come to a different conclusion from that of the collective findings of the Council, the appellant's consultants, Public Health England, the Council's Environmental Health Team and the independent specialists it commissioned. I am therefore satisfied that the proposal would not cause unacceptable harm to the living conditions of nearby residents with regard to odour.
41. Accordingly, the proposal would not conflict with Local Plan Policy BE3, whereby development will not be permitted if it has an unacceptable impact on the amenity of nearby residents.

Character and appearance

42. The previous appeal decisions were made well over 10 years ago, before the Local Plan was adopted. I am advised that at that time the site fell within a Special Landscape Area which informed that Inspector's decision. However, that designation has not been included in the subsequent Local Plan.
43. A Landscape and Visual Impact Assessment was submitted with the application. The site lies within a gently undulating rural landscape, of the Arden Wooded Estate lands local landscape character and within countryside. The village of Norton Lindsey lies nearby to the west. The existing buildings on site are in a dilapidated state and beyond repair.
44. There is no doubt that the buildings would be large and broadly similar in size to the previous buildings that occupied the site. They would be generally low-lying with a ridge height to 4.79m. Constructed with a brick plinth and timber boarding and shallow, corrugated metal, dual-pitched roof, they would have an agricultural, functional and utilitarian appearance. Such agricultural buildings are not an uncommon sight in the countryside. There would be vents along the roof ridge of each building that would extend the overall height to 6.5 metres, but not in a continuous alignment. There would also be a bulk feed store at the end of each building.
45. Appropriate additional planting can offer sufficient mitigation. The existing roadside hedge would be retained to offer some screening of the site, and new hedgerow planting would be provided – this would be secured by conditions requiring the submission of a landscaping scheme.
46. The proposed farm manager's dwelling is indicated as being a single storey bungalow, although the dwelling application is in outline with no plans of its appearance. Nonetheless, it would have minimal impact nestled in the corner of the site with additional new hedge planting around. A condition can be imposed to restrict the dwelling to single storey to reduce the visual impact of the dwelling in the countryside.
47. From my observations on site, the evidence before me and taking into account that there have been chicken sheds on the site in the past, I am satisfied that,

with appropriate additional landscaping, the proposed poultry buildings and farm manager's dwelling would not unduly harm the character of the area. Accordingly, the proposal would not conflict with Local Plan Policy BE1, that seeks, among other things, to ensure development respects the local topography and landscape.

Interested parties

48. I am aware that the current proposal has attracted substantial local opposition, including from a local councillor and Norton Lindsey Parish Council, who raise a number of additional objections to the proposal, some of which stem from issues experienced from the previous use of the site for chickens over 20 years ago. The Council's officer report to the Planning Committee summarised these representations and addressed the matters in its discussion of the various issues, as well as reporting the comments from consultees. Issues such as water and drainage, biodiversity, location, noise, and bio-aerosols are all important matters. I have considered all the evidence before me and in the absence of substantial evidence to the contrary I have no reason to take a different view to the Council and professional consultees on these matters. Therefore, given my findings in relation to the reasons for refusal of the application and main issues, these are not matters that have been critical to my decision.

Other Considerations

49. The proposed farm manager's dwelling is inappropriate development in the Green Belt and should not be approved except in very special circumstances.
50. Local Plan Policy H12 will permit dwellings for rural workers in the countryside where there is an essential need to live permanently at their place of work, subject to a number of criteria. These include there being a clear functional need for the person to be readily available on the site at most times; the worker is fully or primarily employed on the site to which the proposal relates; the business is financially sound and has a clear prospect of remaining so; the dwelling is of a size commensurate with the functional requirements, and the need cannot be met by an existing dwelling on the unit or other accommodation in the area.
51. This approach is broadly consistent with Framework paragraph 84 that allows dwellings in the countryside as an exception, including where there is an essential need for a rural worker, or those taking majority control of a farm business, to live permanently at or near their place of work in the countryside. Framework paragraph 88 also states that planning policies and decisions should enable the development and diversification of agricultural and other land-based rural businesses as part of supporting a prosperous rural economy.
52. I am aware a number of interested parties question the need for the dwelling. The Council's committee report deals with the proposed dwelling in detail, following the Council's use of a specialist rural consultant to independently assess the submitted documents and the appellant's case.
53. Despite modern technology and alarm systems that can help, there would still be a need for a worker to be readily available on site to act swiftly in case of matters such as failure of mechanical ventilation systems to avoid build-up of heat, ammonia, and to deal with breakdowns in heating, feed and water

systems. The appellant has existing operational sites elsewhere, and the appeal proposal would be an additional facility as part of the expansion of the overall business. The existing businesses are established and financially sound and the Council's consultant is satisfied that this remains a continuing prospect. I am advised there are no other dwellings within a suitable distance that would meet the needs of the business on the appeal site or would be financially viable for an on-site worker. The suggested floor area of 77 sqm for the proposed dwelling is within general guidance of 140 sqm for rural worker's dwellings.

54. In the absence of substantial evidence to the contrary I have no reason to disagree with the findings of the agricultural specialist commissioned by the Council or the Council itself on the need for the dwelling. Therefore I am satisfied that there is an essential need for a farm manager's dwelling on site in association with the proposed poultry buildings. This would be in accordance with Local Plan Policy H12 and the Framework in terms of dwellings in the countryside. Whilst this does not make the dwelling not inappropriate development, it is an important consideration.
55. There would be some visual improvement from the removal of the existing derelict poultry buildings. However, removal of the existing structures could be undertaken any time and is not dependant on the success of the proposal.

Green Belt Balance and Conclusion

56. The erection of the 2 poultry buildings is not inappropriate development in the Green Belt. Therefore, it is not necessary for me to consider whether very special circumstances exist to justify them.
57. However, the erection of a farm manager's dwelling represents inappropriate development in the Green Belt. I have found there would be harm to openness as a result and conflict with one of the purposes of including land within the Green Belt. Paragraph 153 of the Framework requires that substantial weight must be given to any Green Belt harm and inappropriate development should not be approved except in very special circumstances, which will not exist unless the harm to the Green Belt, by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.
58. On the other side of the balance I have found that there would be a need for a dwelling for an essential rural worker to live at the appeal site in connection with the proposed poultry business. This carries substantial weight in support of the proposal.
59. In conclusion, I find that the other considerations clearly outweigh the totality of the harm to the Green Belt that I have identified arising from the proposed dwelling. Looking at the case as a whole, I consider that very special circumstances exist which justify the development.
60. For the reasons given above the appeal should be allowed.

Conditions

61. I have considered the 22 conditions put forward by the Council against the advice in the Framework and Planning Practice Guidance (the PPG) and have amended them in the interests of precision and clarity. Following the advice in the PPG I have also listed the conditions in the order that they need to be

satisfied. The appellant has no objections to the suggested conditions, although makes some suggestions.

62. In addition to the standard condition which limits the lifespan of the planning permission I have imposed a condition specifying the relevant drawings as this provides certainty.
63. In the interests of highway safety I have imposed conditions for the formation of the access and limiting the type of vehicles to the site. It is also necessary to protect trees during construction, and I have also imposed a number of considerations to safeguard protected species and ensure the site is appropriately landscaped. To ensure the business operates in an acceptable manner and to reduce impact on residential amenity, it is necessary to require the submission of an Operational Management Plan, that would include details of odour, noise, dust, and a Bioaerosol Management Plan, as well as conditions limiting noise levels and hours within which certain noisy activities cannot take place.
64. As the dwelling has been justified on the basis of a worker needing to be present on the site for the proper functioning of the poultry units, it is necessary to impose conditions that restrict occupation of the dwelling to someone working at the poultry business on site, and that the dwelling can only be occupied once the poultry units on site are operational.

The proposed dwelling is described as a bungalow with a certain floor area to be commensurate with the financial needs of the poultry business on the appeal site. I have therefore limited the floor area of the dwelling and stipulated it is single storey. This will also ensure the openness of the Green Belt is not harmed further.

K. Stephens
INSPECTOR

**** SCHEDULE OF CONDITIONS ****

- 1) The agricultural poultry buildings hereby permitted shall begin no later than 3 years from the date of this permission.
- 2) Details of the means of access to the dwelling, appearance, landscaping, layout of and the scale of the dwelling part of the site (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 3) Application for approval of the reserved matters relating to the dwelling shall be made to the local planning authority not later than 3 years from the date of this permission.
- 4) The development of the dwelling hereby permitted shall take place not later than 2 years from the date of approval of the last reserved matters to be approved.

- 5) The development hereby permitted shall be carried out in accordance with the details shown on drawings 7520/100 (site location plan), 9411-201 Rev D (proposed site plan) and 9411-301 Rev A (proposed floor plans & elevations).
- 6) No development or other operations (including demolition, site clearance or other preparatory works) shall take place until details of tree protection measures in accordance with BS5837:2012 have been submitted to and approved by the Local Planning Authority. Tree protection measures shall include details of off-sets from fixed points for the alignment of the barrier fence, or ground protection measures; a scheme for the recording and reporting of site monitoring visits by a competent arboriculturist that should provide evidence that the control measures as recommended have been implemented and are being maintained and thereafter.

The approved details shall be installed and retained for the duration of any such construction work. In addition, for the duration of any construction work:

- no excavations, site works, trenches or channels shall be cut or pipes or services laid, and no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s);
 - no equipment, machinery or structure shall be attached to or supported by a protected tree(s);
 - no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area such that seepage or displacement could cause them to enter a root protection area, or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure;
 - no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).
- 7) No development shall take place until a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatment (including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates), footpaths and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area.

The hard landscaping works shall be completed in accordance with the approved details within 3 months of the first occupation of the development hereby permitted. All planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the development first coming into use.

Any tree(s) or shrub(s) which within a period of 5 years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043: Transplanting Root-balled Trees and BS4428: Code of Practice for General Landscape Operations.

- 8) No development shall take place until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local

Planning Authority. The plan should include details of planting and maintenance of all new planting; details of species used and sourcing of plants; details of habitat enhancement/creation measures and management such as native species planting, hedgerow enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes). Such approved measures shall thereafter be implemented in full within 1 year of the development first coming into use.

- 9) No development shall take place until a Protected Species Method Statement for nesting birds, badgers, amphibians and reptiles (to include timing of works, supervision of vegetation clearance and reasonable avoidance measures) has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be implemented in full in the first year of the development first coming into use.
- 10) No development shall take place until details of all external light fittings and external light columns have been submitted to and approved by the Local Planning Authority. The approved details shall be implemented before the development is first brought into use. The Local Planning Authority will expect lighting to be restricted at the north, west and east parts of the site and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:
 - Lighting should be directed away from vegetated areas;
 - Lighting should be shielded to avoid spillage onto vegetated areas;
 - The brightness of lights should be as low as legally possible;
 - Lighting should be timed to provide some dark periods;
 - Connections to areas important for foraging should contain unlit stretches.
- 11) No development above slab level shall take place until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 12) The new vehicular access to the site shall not be used by heavy goods vehicles until the bell mouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority. Details of the access and bell mouth arrangements shall be agreed with the Local Planning Authority prior to construction.
- 13) The new vehicular access shall not be used in connection with the development hereby approved until it has been surfaced with a bound macadam material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be first submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 14) The development hereby approved shall not be brought into use until the existing access within the public highway not included in the permitted means of access has been closed and the verge has been reinstated in accordance with the standard specification of the Highway Authority.

- 15) The development hereby permitted shall not be brought into use until an Operational Management Plan relating to the activities to be carried out pursuant to this planning permission has been submitted to and approved in writing by the Local Planning Authority. Upon receipt of the written approval, the agreed Operational Management Plan shall be implemented and thereafter all activities taking place pursuant to this planning permission shall be carried out in accordance with its provisions. The Operational Management Plan shall include provision for regular review by the operator in agreement with the Local Planning Authority and shall include, but shall not be limited to, arrangements for the management of pests, noise, dust, and odour emissions from the site.
- 16) The proposed site shall only be serviced by vehicles as specified within the schedule of vehicle movements contained within the agent's letter dated 9 May 2022 and no vehicle servicing the site shall exceed a maximum length of 11.73 metres.
- 17) The development hereby permitted shall be operated at all times in accordance with the details and methodology contained within the Bioaerosol Management Plan Reference 443828-05 (01) dated March 2022 produced by ADAS and received by the Local Planning Authority on 5 May 2022.
- 18) Noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level (measured as LA90,T). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.
- 19) No deliveries, waste collections or other noisy external activities likely to cause nuisance to nearby residents shall take place before 0730 hours or after 1800 hours on Monday to Saturday or before 0900 hours or after 1300 hours on Sundays.
- 20) The agricultural worker's dwelling hereby permitted shall not be occupied until the new poultry houses have been brought into use.
- 21) The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working on the site in pursuance to the on-site agricultural business together with any resident dependants.
- 22) The dwelling shall be single-storey and its floor area shall not exceed 77 square metres.
- 23) There shall be no more than 20,480 pullets in total at the site at any one time and these shall be limited to breeder pullets only and for no other use. The site operator shall keep records of numbers of birds at the site and these records shall be made available for inspection by the Local Planning Authority upon request.

***** End of conditions *****