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26 July 2017

Mr Henry Doble
Acorus Rural Property Services
The Old Market Office
10 Risbygate Street
Bury St Edmunds
IP33 3AA

Dear Mr Doble,

THE TOWN & COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

APPLICATION REFERENCE NO: 136274

PROPOSAL: Planning application for proposed new poultry rearing units and associated works

LOCATION: Land off Bishopbridge Road Glentham Market Rasen

I write as the Case Officer considering your application accompanied by an Environmental Statement, as detailed above. The application is subject to the provisions of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, which came into force on 16th May 2017, except where [regulation 76](#) applies.

I have now taken the opportunity to review the Environmental Statement (ES) submitted. Please take this letter as a formal request for further information and evidence in accordance with [regulation 25](#).

Introduction

The Environmental Statement (ES) must be prepared by competent experts, and must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts ([reg. 18\(5\)](#)). Please provide a reg.18(5) statement.

3.7 Land grading

The Natural England data is high-level and not site specific. Please confirm the agricultural land classification using site specific data.

3.9 Surrounding Properties

Please provide exact data as to the distances between the proposed development and nearby properties. The approximations given are notably greater than my own

measurements, or that within supporting documents such as your Dispersion Modelling Study (appendix 6).

3.20 Planning policy

Please note the 2011 Regulations have been revoked and replaced with the 2017 Regulations (subject to reg. 76).

I am unfamiliar with the “West Lindsey Core Strategy 2013” and it does not form local policy.

The Development Plan is made up of the Central Lincolnshire Local Plan (April 2017)ⁱ and Lincolnshire Minerals and Waste Local Plan - Core Strategy & Development Management Policies (2016)ⁱⁱ.

I would advise that you revise this chapter accordingly.

4. Details of Proposal

The plans detail a number of ‘gas tanks’. What are these for? Are these likely to have any impact upon the environment?

6. Clean & Dirty Water Disposal

Whilst this section gives detail of intended processes and practice, it provides no assessment of the factors likely to be significantly affected by the development ([Reg. 4\(2\)](#) and [Schedule 4, paragraph 4.](#))

It does not detail the likely significant effects on the environment ([Reg.18\(3\)\(b\)](#) and [Schedule 4, paragraph 5](#)).

What is the likelihood and extent of pollution to land, soil, water, air etc.? What will be the Environmental Impact of the development be in this regard?

7. Flood Risk

The ES should detail the findings of the appended flood risk assessment.

8. Airborne Pollution

Again, this section provides no site specific assessment of the factors likely to be significantly affected by the development ([Reg. 4\(2\)](#) and [Schedule 4, paragraph 4.](#))

The accompanying Dispersion Modelling Study (appendix 6) concludes that The New Chestnuts, at $2.95\text{ouE}/\text{m}^3$ is only just within the benchmark for moderately offensive odours of a maximum 98th percentile hourly mean odour concentration of $3.0\text{ouE}/\text{m}^3$. What is the margin for error?

The ES provides no site specific assessment of the factors likely to be significantly affected by the development and any likely significant effects on the environment. It states that “*evidence indicates that annual average concentrations of poultry dust are not expected at distances exceeding 100m from the source*”. What aspects of the environment

will be affected by this? What evidence is being used (see [schedule 4, paragraph 6](#)) to support this statement?

8.5 Noise

The ES provides no assessment of the environmental noise impacts arising from *this* development, giving only generic statements such as “these noises will not be unusual in an agricultural area”.

A Noise Impact Assessment relating to an unrelated site (appendix 7) is not satisfactory for the purposes of an Environmental Impact Assessment.

The ES should provide an assessment of the factors likely to be significantly affected by this development ([Reg. 4\(2\)](#) and [Schedule 4, paragraph 4.](#)) – which properties will be affected by noise? Will nesting / breeding birds be affected?

It does not detail the likely significant effects on the environment ([Reg.18\(3\)\(b\)](#) and [Schedule 4, paragraph 5](#)) – what are the existing background noise levels? what will be the noise levels received at any nearby properties as a result of the development?

Will traffic movements and routing have an effect on noise? Will the development increase the number of vehicles travelling through Glenthams at night?

9. Ecology

The findings of the Phase 1 Preliminary Ecological Appraisal (appendix 3) are noted.

The ES should detail the findings of the report, and the mitigation and biodiversity enhancement measures that are proposed.

Will activities produce in excess of 70dB during the bird nesting season (section 7.5)? This should be identified and addressed in the Environmental Noise Assessment.

10. Traffic Statement

What are the intended times of traffic movement? What is the intended vehicle routing? Will Heavy Goods Vehicles be travelling through populated areas at unsociable times? Are there any environmental impacts that are likely to arise in this regard?

11. Landscape (& visual?) Impact

Section 7 of the LVIA (Appendix 9) refers to possible landscaping mitigation? Is this to take place?

13. Previous Land Use & Contamination

What are the risks and likely impact of contamination (land, soil, water, air etc.) from the proposed development? During both operation and construction phases?

15. Alternative

It is a requirement of the Regulations ([reg. 18\(3\)\(d\)](#)) that the Environmental Statement at least contains:

“a description of the reasonable alternatives studied by the developer, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment;”

The ES acknowledges that “alternative layouts have been considered”. [Schedule 4, Paragraph 2](#) sets out for inclusion within an ES:

“A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.”

Please provide such information within the ES.

Conclusions

As it stands, I do not consider that West Lindsey District Council, as the relevant planning authority, is able to meet with its requirements under [regulation 26](#), in considering whether planning permission should be granted.

Having examined the environmental information, we are unable to reach a reasoned conclusion on the significant effects of the proposed development on the environment.

I am particularly concerned that the ES provides a number of broad and generic statements without providing a detailed assessment of the aspects of the environment likely to be affected and the significant effects on the environment likely to arise from this particular development.

The 16 week target date for the Council to determine the application is the **3rd October 2017**. Forthcoming meetings of the Planning Committee are scheduled to be held on 23rd August, 20th September, 18th October, and typically every 4 weeks thereafterⁱⁱⁱ.

Upon receipt of the further information requested the Council is required ([regulation 25](#)) to publish notice in a local newspaper circulating in the locality, send a copy to persons to whom it relates, and to the Secretary of State. Furthermore, the Authority must not determine the application before the expiry of 30 days from these events.

I am therefore concerned with the ability for the Council to adequately assess the application and fulfil its obligations under regulation 26, by the target date of 3rd October.

To that end, I would be grateful if you could provide me with a date, as soon as is possible, by which you can realistically supply the further information required.

From that we can ascertain whether it would be appropriate to agree an extension of time to determine this planning application; or whether you should withdraw the current

application, and consider making a fresh application only when you are in possession of the further information required.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R. Clarkson', with a horizontal line underneath.

**Russell Clarkson BA(Hons) Dip TP MRTPI
Principal Development Management Officer**

If you require this letter in another format e.g. large print, please contact Customer Services on 01427 676676, by email customer.relations@west-lindsey.gov.uk or by asking any of the Customer Services staff.

ⁱ Available here: <https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

ⁱⁱ See <https://www.lincolnshire.gov.uk/minerals-and-waste-local-plan/66543.article>

ⁱⁱⁱ See <https://www.west-lindsey.gov.uk/my-council/decision-making-and-council-meetings/committee-timetable/>