

## **APPLICATION REPORT – 18/00843/FULMAJ**

**Validation Date: 6 September 2018**

**Ward: Coppull**

**Type of Application: Major Full Planning**

**Proposal: Construction of Dairy Unit housing up to 600 cows of various ages and associated infrastructure**

**Location: Land East Of Wigan Lane Coppull**

**Case Officer: Mr Iain Crossland**

**Applicant: J & B Woodcock & Sons**

**Agent: ADAS**

**Consultation expiry: 8 November 2018**

**Decision due by: 6 December 2018**

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### **RECOMMENDATION**

1. It is recommended that this application is approved subject to conditions.

### **SITE DESCRIPTION**

2. The application site comprises a series of three fields and is located in the Green Belt between the settlements of Coppull and Adlington.
3. The land is currently in arable rotation and is bound by a small post and wire fence. The site covers an area of approximately 10.89 hectares (ha) and is surrounded predominantly by agricultural land but is bound immediately to the west by Wigan Lane (A5106) and there is a sand quarry to the east, with private access tracks to the north and south. To the west of Wigan Lane are three dwellings comprising buildings that previously served Coppull Brow Farm.
4. There is currently an access to Wigan Lane that leads to a sand quarry, landfill/waste disposal site and fishing lake located to the east. Wigan Lane is a two-way single carriageway road subject to the national speed limit (60mph). The road is approximately 8m wide flanked by a footway along the western side of the carriageway and does not benefit from street lighting. The road runs in a north-south direction providing a connection to Wigan approximately 7.5km to the south of the site. To the north east, approximately 2.5km from the site, Wigan Lane connects with A6 Bolton Road.
5. Eller Brook runs adjacent to the north east of the site and flows into the River Yarrow approximately 1 km to the north west. The north west field boundary is lined by mature trees and landscaping adjacent to Wigan Lane. The north eastern boundary consists of a strip of semi mature woodland with an approximate depth of 15m, which runs adjacent to a track leading to a working quarry. The south east boundary consists of a strip of semi mature woodland with an approximate depth of 15m. Beyond this is grassland, scrub and a working quarry. A ditch runs adjacent to the majority of the south east boundary of the fields, and directly beyond this is a deciduous woodland. A strip of woodland separates the south west

field boundary with the adjacent arable land. The general surrounding landscape consists of agricultural land bordered by hedgerows.

## **DESCRIPTION OF PROPOSED DEVELOPMENT**

6. The proposed development is for a Dairy Unit housing up to 600 cows of various ages and associated infrastructure. This would involve a number of agricultural buildings covering approximately 23,000 sqm. The site would also house ancillary buildings and structures, hard-standing for parking and vehicle turning, and a general grazing area.
7. The following provides an overview of the individual components of the proposed development :
  - Cow Shed – The cow shed would have the capacity to hold a herd of 600 dairy cows plus followers. The size of the shed would be 153.5 m by 150.3m with a total height of approximately 9m. The shed comprises 8 main sections, which would handle the dairy cows through different phases of life and milk production with sections for calves, heifers, transition cows and dry cows.
  - Feed Clamp – The site would have a total of four feed clamps without covers. These would store silage in various forms. Three of the clamps are 34 m by 82 m. The fourth feed clamp is 30 m by 84 m. The feed clamps are located towards the northern corner of the site.
  - Feed Storage Building – A feed storage building would be erected adjacent to the feed clamps. This would provide an enclosed area with roof for storing dry food for cattle. The building's size would be 61 m by 41 m with an eaves height of 8 m and ridge height of approximately 16.8 m.
  - Office Building – A small office building and associated parking area would be located towards the southern site boundary behind the cow shed. The size of the building would be 12 m by 12 m with a ridge height of 5.8 m.
  - 38 m diameter Concentrate Slurry Tank with airtight sealed lid – Measuring 38m in diameter and 4m high, this would house the concentrated slurry and re-purpose it as fertiliser or digestate for use. The lid would be designed to prevent smells, reduce ammonia losses and exclude rainwater, for more efficient Nitrogen use and increased nitrogen recovery from manures, and fertiliser value.
  - Slurry Tanks, Milk Tanks and Feed Bins – There would be a number of smaller associated units placed around the facility.
  - Clean Rain Water Harvesting Lake – Located beyond the office building towards the southern corner of the site, this would collect rainwater for use in the production of silage and feed for the dairy cows/livestock. Its dimensions are subject to detailed drainage design but expected to be approximately 60 m in length and 40 m in width.
8. The application has been submitted on behalf of the applicant by ADAS.

## **APPLICANT'S CASE**

9. The applicant owns Yew Tree Dairy Limited, one of the UK's largest family owned and operated milk processing companies. Established in 1904, it has grown both nationally and internationally through its reputation for producing high quality dairy products. For many years the business was based entirely from the farmhouse site on Coppull Hall Lane, where it has milked cows and pasteurised the milk before selling it direct to the end user, locally to households through door to door rounds, or to shops and catering businesses.
10. In 2010 Yew Tree Dairy Limited began operating a new state of the art processing facility in Skelmersdale, allowing the business to process high volumes of milk daily, producing a range of liquid milks and creams for the UK domestic market and a full range of Milk Powders for both domestic and international markets.
11. With the next family generation integrated within the business there is a strong ambition to continue the tradition of farming the land, however, with the uncertainty surrounding the impending withdrawal of the UK from the European Union, the reality of modern day agriculture is that it needs to be at a scale to make it viable.

12. Over the last 20 years, close to 20 farms in the locality of Yew Tree Farm have left the dairy farming industry. In order to meet the current high standards in animal welfare, there is an acknowledgement that significant investment is required in both new technology and new buildings.
13. After months of due diligence, the family came to the conclusion that constrained access issues at the existing Yew Tree House Farm site, combined with the need for a significant upgrade to the current livestock buildings meant that a new dairy unit site should be sought elsewhere. Ideally this would be somewhere local that would allow greater access to the strategic highway network, with new facilities that will far exceed any regulatory requirements.
14. The overall vision for the proposed development is to exceed any regulatory requirements to create a 'model farm', one that is referenced as a 'Centre of Excellence' from which other dairy farm businesses across the industry can use as a benchmark facility. As well as offering an obvious economic benefit to the business, the dairy unit's state of the art design and sector leading technology will offer animal welfare benefits in terms of livestock wellbeing plus environmental benefits through slurry management and self-sustainability through the recovery and reuse of water.
15. The decision to work with Jersey cattle came about following consideration of a range of dairy breeds. Jersey cattle are significantly smaller than other breeds and typically provide lower yields in terms of volume, but with much higher constituents (i.e. butterfat and protein). When considered alongside comparative breeds they carry a significantly smaller environmental footprint by converting feed solids into milk solids more efficiently. Although not such a popular breed in the UK, the Jersey is still native.
16. In terms of the existing operations at the Yew Tree House Farm site, there is an aspiration to renovate/replace the existing buildings to utilise the grazing area for the younger animals, reducing the amount of vehicular movements to and from this site on what is a narrow single track road, to the benefit of the local population.

## **REPRESENTATIONS**

17. Representations in objection to the proposed development have been received from the occupiers of four addresses and from Cllr Holgate. These raise the following issues:
  - The scale and nature of the proposals are such that it is open to question whether this is industrial rather than agricultural development.
  - Visual impact of the proposed development on the character of the landscape and surrounding area.
  - Impact on the Green Belt.
  - Impact on ecology and wildlife.
  - Odour nuisance, air pollution and the potential effects on the health from slurry and feed.
  - Noise nuisance from cattle and machinery.
  - Impact from lighting.
  - Attraction of pests.
  - Land stability concerns.
18. Representations in support to the proposed development have been received from the occupier of one address.

## **CONSULTATIONS**

19. Construction Skills Training And Employment Partnership: are able to support the planning applicant to produce an employment and skills plan (ESP) for the construction phase of this project in accordance with the SPD for employment and skills.
20. Regulatory Services - Environmental Health: Have no objection.

21. The Coal Authority: Have no objection subject to an appropriate condition.
22. Environment Agency: No comments have been received.
23. Greater Manchester Ecology Unit: Have no objections subject to conditions.
24. Ramblers' Association (Chorley Branch): No comments have been received.
25. Waste & Contaminated Land: Have confirmed that they have no comments to make.
26. Lancashire Highway Services: Have no objections subject to conditions.
27. Lead Local Flood Authority: No comments have been received.
28. Natural England: No comments have been received.
29. United Utilities: Have no objection subject to conditions.
30. Lancashire County Council Public Rights Of Way: No comments have been received.
31. Coppull Parish Council wish to strongly object to the above planning application on the following grounds:
  - The scale and nature of the proposals are such that it is open to question whether this is industrial rather than agricultural development.
  - Visual impact of the proposed development on the character of the landscape and surrounding area.
  - Impact on the Green Belt.
  - Impact on ecology and wildlife.
  - Odour nuisance, air pollution and the potential effects on the health from slurry and feed.
  - Noise nuisance from cattle and machinery.
  - Impact from lighting.
  - Attraction of pests.
  - Land stability concerns.

## **PLANNING CONSIDERATIONS**

### Principle of development in the Green Belt

32. The application site is located in the Green Belt between Coppull and Adlington. The National Planning Policy Framework (The Framework) states that there is a general presumption against inappropriate development in the Green Belt and The Framework advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
33. National guidance on Green Belt is contained in Chapter 13 of the Framework which states:

*133. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

*134. Green Belt serves five purposes:*

  - a. to check the unrestricted sprawl of large built-up areas;*
  - b. to prevent neighbouring towns merging into one another;*
  - c. to assist in safeguarding the countryside from encroachment;*
  - d. to preserve the setting and special character of historic towns; and*
  - e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

34. Paragraph 143 goes on to state that *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*.
35. Furthermore, Paragraph 144 goes on to state that *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”*.
36. The Framework sets out a number of exceptions to inappropriate development in the Green Belt at Paragraphs 145 and 146. Most specifically to the proposed development Paragraph 145 of the Framework states that one of the exceptions to inappropriate development in the Green Belt is:
- a) buildings for agriculture and forestry.*
37. In order for the proposed development to be considered as an exception to inappropriate development in the Green Belt then it must be established that the proposed buildings are reasonably necessary for the purposes of agriculture, however, it is noted that the Framework contains no limitations or capacity tests for development that falls within this exception.
38. Section 336 of the Town and Country Planning Act 1990 defines 'agriculture' as follows:
- “agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly;*
39. The proposed development of a dairy farm clearly falls within this definition of agriculture, and on the basis of the above it is considered that the proposed development falls within one of the exceptions to inappropriate development in the Green Belt.
40. Further to the above it is noted that Paragraph 83 of the Framework makes reference to supporting a prosperous rural economy and states that planning policies and decisions should enable *“the development and diversification of agricultural and other land-based rural businesses”*, which is supportive of the proposed development.
41. The Framework also sets out at paragraph 146 that certain other forms of development are also not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it. This includes *b) engineering operations*. The works to construct the hard standings, access roads, clean water harvesting lakes and earthworks to level the site and create bunds all fall to be considered engineering operations. These elements would be viewed in the context of the overall development and would have no adverse impact on openness in the context of the overall development. Furthermore such engineering works are necessary to facilitate the proposed agricultural development, which is not inappropriate development in the Green Belt.
42. The Central Lancashire Core Strategy seeks to achieve economic and social improvement in rural areas by sustaining and encouraging appropriate growth of rural businesses at policy 13, through encouraging appropriate new farm buildings and structures where they can be shown to be necessary for increasing food production. The proposed development has been conceived with sole purpose of supplying dairy products into the food chain and, therefore, complies with this policy. The necessity of the development proposed in relation to the business case is being assessed by a specialist agricultural land agent and the findings of this assessment will be set out on the addendum prior to committee.

43. The Central Lancashire Rural Development Supplementary Planning Document (SPD) (October 2012) reflects policy 13, stating that new agricultural buildings will be required to meet operational agricultural needs and protect the visual character of the landscape. This should include a consideration of the siting, design, choice and colour of materials and any additional planting sympathetic to the surroundings of the development. The visual impact of the proposed development is set out below.

Design, siting, appearance and scale of the proposed buildings and their visual impact

44. The proposed development would be located on land to the east of Wigan Lane and would be accessed via an existing access road designed to carry HGV's to the nearby sand quarry. The site itself is situated at a lower level to Wigan Lane and has been landscaped with a dense buffer of peripheral landscaping at some stage in the past.
45. The proposed development would cover an extensive area of land with a number of large buildings and structures and large areas of hardstanding, in response to the scale of the dairy unit and the number of cattle it would accommodate.
46. The cow shed is the largest structure and would be located centrally within the site. It would comprise eight main sections to handle the dairy cows through different phases of life and milk production with sections for milking cows, calves, heifers, transition cows and dry cows. The building would measure 153.5 m by 150.3m with a total height of approximately 9m.
47. The cow shed building scale and design is a function of the size required to provide suitable space and level of ventilation for the number of cows to be accommodated. It is open sided with fine mesh on all four elevations. On three elevations the lower wall is pre-cast concrete (PCC) panels with the lower wall of the north eastern elevation being brickwork. The upper gable wall on all four sides is a single skin profiled metal cladding (olive green RAL 100 30 20 TO BS 1 2B27). The multi-bay "saw tooth" roof has an open aspect on its north facing vertical fascia, which limits the height of the building and provides maximum surface area for ventilation. It will be formed from insulated composite profiled metal cladding and would match the olive green colour of the upper walls. There are two entrances on each of the north eastern and south western elevations.
48. The cow shed building would have a very large area and its design and appearance would be typical of a modern agricultural building. Its central position within the site is suitable for the development proposed. The use of olive green panelling would help to reduce the visual impact in the context of the surrounding landscape. The building would be located approximately 50m from the highway at Wigan Lane and would be sited at a lower level.
49. The feed storage building would be located towards the eastern corner of the site close to the site entrance. This would measure 61 m by 41 m with an eaves height of 8 m and ridge height of approximately 16.8 m and would be the tallest of the buildings on site. The feed storage building would have a single skin profiled metal cladding roof and upper wall in olive green with the lower wall of PCC panels. The building entrance is centrally located on the south west elevation facing the cow shed and its height would allow vehicles to fully tip loads inside the building. The entrance would be open when in use, but would be fitted with closures to meet the requirements of feed hygiene legislation.
50. Again the design and appearance of the feed storage building would be typical of a modern agricultural building and its siting close to the entrance is logical in terms of facilitating deliveries. The use of olive green panelling would help to reduce the visual impact in the context of the surrounding landscape. The building would be located over 160m from the highway at Wigan Lane and would be sited at a lower level.
51. Three feed clamps would be located towards the northern corner of the site with a fourth slightly smaller feed clamp located adjacent to the cow shed alongside the site boundary that borders Wigan Lane. These structures would be the closest to the public highway and would store silage in various forms through the use of 4m high concrete walls to three sides with the remaining side open for vehicle access. The feed clamps would be of a utilitarian appearance and would be functional for their need. Although they would be located closer to

the public highway (approximately 20m at their nearest point) they would be sited at a lower level with intervening landscaping. The feed clamps would be large but reflect the scale of the proposed dairy unit.

52. The concentrate slurry tank would be located between the feed storage building and feed clamps adjacent to the north eastern site boundary. The tank would measure 38m in diameter and would be 4m high. It would contain the concentrated slurry and re-purpose it as fertiliser or digestate for use. The lid has been designed to prevent smells, reduce ammonia losses and exclude rainwater, which leads to more efficient nitrogen use and increased nitrogen recovery from manures, and fertiliser value. The slurry tank would be of a functional appearance and its positioning in the site is such that it would be screened from public views by other buildings structures.
53. The office building would be located to the southern end of the site. This would be a small single storey 12m by 12m brickwork building. The roof would be pitched and made of insulated composite profiled metal cladding coloured goosewing grey (RAL 080 70 05 TO BS 1 0A05). There would be 2x windows to the north west elevation and 3x on both the south west and north east elevations, with none on the south east elevation. The office would be used to manage the administrative and logistical duties of the development and would be supported by a small car park. The structure would be appropriate to its use and would be unobtrusive in the context of the overall development.
54. Various ancillary equipment would be located adjacent to the cow shed and also under a canopy that would extend from the feed storage building. These have the appearance of plant and structures typical of a large modern dairy unit. Their position within the site is suitable, providing easy access to service vehicles, and they would be largely screened from views by other buildings and structures.
55. With regards to the landscaping of the site the existing site terrain already slopes away from Wigan Lane. This would provide the opportunity to re-profile the land resulting in the buildings and ancillary equipment being set down at a level lower than the surrounding landscape and Wigan Lane in particular. This would have the benefit of "sinking" the development mass but also establishing a level site access point with the level of the access track.
56. A buffer zone around the development would be created by enhancing the existing tree margin along Wigan Road with a raised mound, formed from material won from the earthworks, and additional mixed tree planting. This would help to filter views of the site and reduce the visual impact. There would also be a 2.4m high close boarded timber fence close to the boundary with Wigan Lane and set within the site. It would be separated from Wigan Lane by the buffer of existing trees and vegetation. As such it would not result in an obtrusive feature but would have the benefit of providing acoustic screening and site security.
57. The agricultural land to the south of the site would be retained as grazing land and the hedgerows would be retained and enhanced. The remaining boundaries, other than that adjacent to Wigan Lane, would be made up of 2.4m high paladin fencing in green, which is appropriately unobtrusive for a site of this nature, whilst providing the necessary security.
58. In order to facilitate the 24-hour operation of the proposed development, and to ensure that the minimum lighting requirements for animal welfare are met, it would be necessary to install lighting within the accommodation and in cattle handling areas. It is noted that no details of lighting has been provided at this stage and, therefore, it is recommended that a lighting scheme is required by condition. The level of lighting should be the minimal in order to minimise light-spill. All external and internal light fittings would be expected to comprise flat, horizontal downward-facing fittings on low-level mountings in order to avoid light spillage during the hours of darkness.

### Landscape character

59. A landscape visual assessment has been submitted in support of the proposed development. The assessment concludes that the proposed development would result in a low magnitude of change in the character of Adlington-Coppull Landscape Character Area and is assessed to have a minor adverse significance of effect. The significance of effect is assessed to be moderate / major adverse on the landscape character of the site itself and moderate adverse on the local landscape character (within 500m of the site).
60. The site would be well screened by surrounding tree belts and landform. The visual assessment concludes that the visibility of the proposal would be limited to local visual receptors and to areas of higher ground to the north and north-east. Locally, the proposed mitigation planting along the boundaries and throughout the development would soften and partially block views of the proposal. The receptors most affected by the development would be the public right of way (PRoW) running through the site, which would be a major adverse effect. The diversion of this PRoW is subject to a separate application and would divert the PRoW to the permissive path to the south of the site. Once the diversion is put in place any visual impacts on this path would no longer be applicable.
61. In order to mitigate the major adverse impact from the PRoW it is proposed that a landscaping belt be included to the south of the proposed cow shed on the high point of the land. This would mitigate the impact on views from this receptor, and would ameliorate the impact to acceptable degree. It is recommended that a landscaping scheme is required by condition to secure adequate landscaping of the site.
62. In addition to the above the proposed mitigation measures include strengthening the existing tree belts along Wigan Lane and will assist in reinforcing visual screening of the development from the residents of surrounding properties. It is considered that the landscape proposals are in accordance with relevant opportunities and guidelines set out in the National Character Area.
63. In conclusion, the assessment of landscape and visual effects of the proposed development demonstrates that the site is visually enclosed by the landform and existing trees. With very limited effects on the wider visual amenity and landscape character, and would integrate with the existing landscape character. The proposed landscape mitigation and enhancement measures would reinforce existing landscape features and will enhance the biodiversity of the site.

### Impact on the amenity of neighbouring occupiers

#### *Buildings and structures*

64. The proposed development would be located nearest to a cluster of three dwellings at Coppull Brow Farm, comprising Coppull Brow Farm, Coppull Brow Barn and The Red Brick Barn. These dwellings are the most affected by the proposed development. The application site is currently a series of three fields, of which there are filtered views from these dwellings due to the presence of a buffer of trees and vegetation along the site boundary. This provides a pleasant view from the properties concerned, however, it must be noted that any impact on this view is not a material planning consideration.
65. The main cow shed building would be located approximately 65m to the south east of the nearest dwelling at Coppull Brow Farm and approximately 74m from the other properties in the cluster. Although the building would be visible from these properties the separation distance is significant. In addition to this the proposed building would be sited at a lower level relative to these dwellings and would be separated by a landscape buffer that would help to filter views. The degree of separation and difference in levels is such that there would be no unacceptable impact on light or outlook from the proposed cow shed in relation to the three dwellings at Coppull Brow Farm.
66. One of the feed clamps would be located approximately 35m from the closest dwelling at Coppull Brow Farm at its nearest point and approximately 60m from the other properties. At

4m in height the degree of separation, difference in levels and landscaping buffering result in a situation whereby there would be no unacceptable impact on light or outlook.

67. Other buildings and structures are further away and present no impact on light or outlook from these dwellings. Other dwellings to the south west would be located over 300m from the proposed building and would not be affected physically.

#### *Odour impact*

68. With regard to the scale of the proposed development and number of animals there is a possibility that issues with odour could arise due to the intensification on the site. To some extent smells are an inevitable consequence of living in a rural community, however, a report has been submitted 'Technical Sustainability Report' produced by Promar International. The report discusses several areas which have a potential to impact on the environment but also provides a series of mitigation measures. Mitigation measures to minimise impacts from gases such as methane and ammonia and mitigations to minimise air/climate/water impacts from manure are also set out. These have been incorporated into the design and specification of the proposed development.
69. The proposed cow shed building would be well ventilated, utilising a "saw tooth" roof style that provides high levels of ventilation in comparison with most other large agricultural livestock buildings. The alignment and configuration of the roof utilises the prevailing wind direction to maximise the inflow of air to where the cattle would predominantly be housed. This would ensure a sufficient supply of clean air to prevent any build-up of pollutants in the building eaves, as is customarily the situation in traditional triangle styled roofs of agricultural livestock buildings.
70. In addition to the roof design, the flooring in areas where the cows would be housed are designed with slats - small openings in the ground, from which waste from the animals will drop through and be collected into an underground slurry management system. This maintains the hygiene of the building and prevents the majority of odour from the slurry being released into the atmosphere. Whilst in underground storage, the slurry is treated through a process of acidification, whereby the pH of the waste is reduced. Rather than being released through air emissions, this chemical treatment locks the ammonia within the wet slurry. Further dewatering/evaporation takes place producing a concentrated 'solid slurry', which remains in liquid form.
71. As part of its life cycle on site the 'solid slurry' would then be transferred into the air tight slurry tank prior to its transportation off site. This slurry can then be used as an affordable nutrient rich fertiliser that is spread over arable fields to support crop growth.
72. It is considered that these mitigation measures would reduce odour but essentially effective management and storage of manure and slurry management would also have a positive effect. It is noted that the Council's Environmental Health Officer raises no objection and considers that with the proposed mitigation the impact of odours from the development upon the amenity of occupiers of nearby residential dwellings would be minimised.
73. With regards to concerns over smells from feed, well-made silage has a very sweet mild aroma and is not considered to present an odour amenity issue if properly managed. It is in the economic interest of the business to make high quality silage through the use of modern agricultural machinery. This also applies to the storing of silage. Ensuring the feed clamps are maintained minimises additional cost to the business and means the silage reaches the cow population in a state that benefits milk production, which it is in the best interests of the business to achieve.

#### *Noise.*

74. An acoustic report has been submitted in support of the application, which was produced by RSK Environment Ltd. For the purposes of the assessment, noise measurements were taken in close proximity to Coppull Brow Farm. The use of an incentive-led milking system, whereby the cows pass through robotic milkers voluntarily in order to access the feed areas, does not require the onsite presence of site staff to 'herd' the dairy cows manually. In other

circumstances the discomfort that stems from herding, and being constrained to set milking/feeding times that causes the cows to become more vocal. The establishment of a voluntary system significantly reduces the stress and discomfort of the cows – which in turn reduces the resulting noise levels across the site.

75. The prevalent noise source encountered within a dairy unit of this type would be the robotic milking system that is installed internally within the cow shed. Pumps from the tanks (for slurry, milk and water) would be located underground and, therefore, have not been taken into account for this assessment.
76. Noise from the proposed development has been predicted using computer noise modelling and based on a worst-case scenario using results from milking robots that have a noise specification greater than the A5 type robots proposed. The report is comprehensive and gives reference to recognized standards and also makes use of noise mapping for the site. The report also considers the effect of any tonal qualities i.e. particular frequencies that could cause issues. In addition, source measurement data has been obtained from a similar operating site at another location, in August 2018, rather than using predicted or theoretical data. The assessment also provides information about mitigation measures, which include pumps for bulk tanks being located underground, louvered portions of the roof facing east and not being directed toward homes and a 2.4metre high acoustic barrier on the northern edge of the site opposite the nearest residential properties on Wigan Lane.
77. The site used for comparison is a smaller operation than the proposed site in Coppull but operates 24 hours per day, has equivalent ancillary operations and has comparable types of livestock (to include a range of ages). They operate Lely Astronaut A4 milking machines, which are quiet but not as quiet as the proposed Lely Astronaut A5 machines proposed for the Coppull site, in their opinion.
78. The information provided in the report has been assessed and verified by the Council's Environmental Health Officer, who concludes that in essence, as far as noise is concerned, the report suggests that with the included mitigation measures local residents would not suffer detrimental effects due to noise. It is, therefore, important that the mitigation measures set out within the report are fully implemented.

#### Highway safety

79. The application site has an existing access to the highway from Wigan Lane, which currently serves the sand quarry. The access is sufficiently wide and of acceptable geometry with adequate visibility to accommodate vehicles accessing the proposed development. The access road leading to the site is not part of the adopted highway, therefore its use would require the consent of the owners. The proposed 8.0m wide access to be formed to the private access road into the site is also of acceptable geometry and should be able to accommodate HGVs associated with the proposal without difficulties.
80. LCC highways confirm the two recorded traffic accidents mentioned in the applicant's Statement. The accidents resulted in personal injuries and as such recorded as 'serious', however, one occurred 300m away to the north of the site access and appeared to be attributed to driving error. The second accident occurred at the junction of Wigan Lane and the proposed site access and was a collision between an HGV egressing the site and a motorcyclists travelling on Wigan Lane. Other traffic accident occurrences are noted south of the proposed site access at and to the south of Wigan Lane/Jolly Tar Lane and near the junction of Grundy's Lane to the north.
81. These accidents are regrettable, however, considering the distance of the accident locations from the proposed site access, measures would not be expected from the applicant towards mitigating the impact of these accidents. As regards the accident at the proposed site access, it appears to be an isolated incident not contributed to by lack of visibility; and as it is not considered the proposed development would exacerbate any existing problems, additional measures would not be required from the applicant to minimise conflicts between vehicles and other road-users.

82. According to the applicant's estimate, during the site's busiest periods, associated traffic movements would only be from two milk tankers a day, four feed lorries and four slurry tankers per week in addition to movements to be generated by the members of staff. The applicant, therefore, estimates that the site would generate a maximum of 20 traffic movements a day. The assumptions made by the applicant seem reasonable and given the rural setting of the site and the suitability of the existing access, it is not considered there would be any significant impacts on the highway network from this level of movements.
83. The proposed layout shows that vehicles would leave Wigan Lane, travel over the existing private access road and turn right into the new 8.0m wide site access to be provided near the eastern boundary of the site. Vehicles would then travel south on a narrower (6.0m wide) section of the site access to the car park. The applicant has provided a swept path analysis to demonstrate that large vehicles can safely access the site, but although it is indicated the largest expected vehicle would be 13.0m long, the vehicle used for the tracking was only 11.8m long. Nonetheless, it is considered the turning of 13.0m long vehicle can still be accommodated.
84. Overall, having analysed the application submission, LCC Highways is satisfied that the proposed development would not lead to adverse impacts on the surrounding highway network, as such, no objection is raised to proposal.

#### Ecology and wildlife

85. An ecological appraisal has been submitted in support of the proposed development. This identified no significant ecological constraints and has been reviewed by the Council's ecology advisors (GMEU). The site was assessed for potential statutory protected species. No evidence was found of any such species and GMEU confirm that there is no reason to doubt the findings of the report. No further survey or measures are, therefore, required.
86. The site was assessed as suitable for ground nesting species such as lapwing and grey partridge. Trees and hedgerow along internal boundaries would also be lost and whilst the perimeter planting appears to be retained cutting back may occur. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. It is, therefore, recommended that a condition is applied to any permission restricting when tree works are carried out.
87. Himalayan balsam and Japanese rose were identified around the perimeter of the development site. These appear to be avoidable, though balsam is present adjacent to the existing/proposed access route and around the site entrance, therefore there is a risk of spreading the seed of this species. It is, therefore, recommended that a condition is applied to any permission requiring a method statement to prevent the spread of invasive species.
88. The site is close to Moss Ditch and Eller Brook. There are risks of negative impacts on both these watercourses from pollution and sediment in particular during and post construction. During construction these risks can be mitigated as part of a construction and environmental management plan, which should be required by condition prior to commencement.
89. Post development information has been supplied regarding disposal of slurry, which demonstrates that this would be collected and stored away from any watercourses, with rain water harvesting from the roof of the new building reducing the amount of surface water that would require collection and disposal. There is also a significant buffer between the development and both water courses once completed.
90. With regards air quality, GMEU confirm that they are satisfied that from an ecological perspective that there are no statutory receptor sites that would be impacted upon by the development. From an ecological perspective no further information is required in this regard.
91. Section 170 of the Framework states that the planning system should contribute to and enhance the natural and local environment. The development would result in the loss of a large area of arable farmland, which is a low value ecological habitat, as well as a significant

length of hedgerow. It would also result in the loss of bird nesting and potential brown hare habitat. Landscaping is proposed around the southern and western sides of the development, with additional land to the south and west along Moss Ditch remaining undeveloped on completion of the works.

92. There is no detailed landscaping at this stage and it is considered that adequate land is available to mitigate the impact of the proposed development if the landscaping includes a significant percentage of native tree planting to mitigate for the loss of hedgerow. Mitigation should also be provided for loss of bird nesting habitat associated with the scrub/hedgerows lost internally. This could be achieved through the provision of nest boxes within the existing boundary trees. Information should also be provided for the undeveloped land beyond the landscape buffer. This could provide additional mitigation through management as low input grassland for hay production or simply as set aside.
93. As ground nesting birds and any brown hare would be displaced it is recommended that a landscape and environmental management plan is conditioned as part of any permission and should include reference to mitigation for loss of trees, hedgerow and bird nesting habitat, management of land outside the development footprint, with monitoring and maintenance for up to 5 years.

#### Flood risk and drainage

94. A flood risk assessment has been provided in support of the proposed development. This concludes that the risk from fluvial and tidal sources of flooding, both to the proposed development and to others, as a result of the development is considered low.
95. The risk posed from the extent of the surface water flooding is restricted to the low lying areas to the east of the site. As the proposed development would increase the impermeability then it will be important to consider the potential for runoff from the site to increase the risk of surface water flooding in low lying areas.
96. The geological mapping shows that the geology may be considered appropriate for infiltration based SuDS. It is, therefore, recommended that a condition is attached to any grant of planning permission requiring that prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions is submitted for approval
97. United Utilities Water Limited ('United Utilities') met with the applicant on site to discuss the slurry management proposals for the development and the position of the United Utilities Raw Water Main in relation to the proposed development.
98. United Utilities consider that the applicant has adequately demonstrated that the proposed development is situated an acceptable distance away from the proposed raw water main and are satisfied that the development can proceed based on the current plans.
99. After reviewing the proposal in detail, United Utilities confirm that they are satisfied that the proposed development causes very little risk to water abstraction and are, therefore, satisfied that the development can proceed based on the current plans.

#### Geo-environmental issues

100. The application site is located within a High Risk Coal Zone. As such a Coal Mining Risk Assessment has been submitted in support of the application, which examines the sub-surface geology, development history and published records of mining activity beneath the site. Based on this review of existing geological, historical and coal mining information, the report sets out that there are issues relating to coal mining, which may influence the proposed development; specifically shallow coal mine workings, the presence of the surface mining, and the unknown location of opencast high wall.
101. The report makes recommendations that in order to verify the ground conditions, intrusive ground investigation works in the form of rotary boreholes are required to confirm

the depth to and nature of the underlying bedrock and to assess if any shallow seams or workings are present. The Coal Authority has reviewed this report and are satisfied with its methodology and recommendations. The Coal Authority considered that an in-depth assessment of all coal mining risks associated with this site had been carried out (as required by the NPPF paragraph 178 - 179), however, due to presence of surface mining operations, they did not consider that sufficient information had been provided by the applicant to demonstrate to the LPA that the site is, or can be made, safe and stable for the development proposed.

102. Subsequently this report was followed up by a supplementary Coal Mining Risk Assessment. This provided the results of further research and investigations in the form of trial pits. The evidence proves that whilst the site is within a former opencast site, there is no evidence to suggest that the site is underlain by opencast workings that would represent the potential for the presence of a 'high wall' beneath the proposed structure. The Coal Authority, therefore, consider that sufficient evidence has been provided to discount any risk from the opencast high wall.
103. In addition to the above a Phase 1 Geo-Environmental Site Assessment submitted in support of the application presents evidence with regards to the geo-technical stability of the land (NPPF, Paragraph 178). The report recommends that Phase II exploratory works are undertaken, and soils assessed to confirm geotechnical design parameters for the proposed development. These exploratory works can be implemented by way of an appropriately worded 'pre-commencement' planning condition. This report has been reviewed by the Council's contaminated land officer, who raises no concerns.

#### Other matters

104. Issues arising from pests, odours and noise at industrial, trade or business premises can be controlled using the statutory nuisance provisions of the Environmental Protection Act 1990.
105. Neighbours have stated that regulations state slurry storage cannot be within 400m of a protected building (a building not associated with the farm holding). However, this relates to the Town and Country Planning General Permitted Development Order which sets out, amongst other things, what development farmers can carry out without the need for planning permission. The 400m distance is one of the criteria for when development associated with the accommodation of livestock or for the storage of slurry or sewage sludge requires planning permission.
106. The Council have considered whether the proposal requires an Environmental Impact Assessment under The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and have concluded it does not.

#### **CONCLUSION**

20. The proposed development is considered to be reasonably necessary for the purposes of agriculture and, therefore, represents an exception to inappropriate development in the Green Belt. The siting and design are considered to be acceptable and there would be no unacceptable visual impact or unacceptable impact on the amenity of neighbouring occupiers. In addition there would be no unacceptable impact on highway safety or ecology. The proposed development is, therefore, considered to be acceptable and as such is recommended for approval.

#### **RELEVANT HISTORY OF THE SITE**

**Ref:** 18/00842/SCE **Decision:** PESCEZ **Decision Date:** 5 November 2018  
**Description:** Request for Screening Opinion Pursuant to Regulation 5 of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 for the erection of a dairy unit comprising buildings and structures that will accommodate 600 jersey cows

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Suggested conditions

To follow on the addendum