

<u>Consultee</u>	<u>Date Sent</u>	<u>Expires</u>	<u>Reply</u>
Arcott Parish Council	31.03.2020	21.04.2020	06.04.2020
Agricultural Consultant	31.03.2020	21.04.2020	
BBO Wildlife Trust	31.03.2020	21.04.2020	07.05.2020
Building Control CDC	31.03.2020	21.04.2020	14.04.2020
Campaign to Protect Rural England Oxfordshire	31.03.2020	21.04.2020	
Conservation	31.03.2020	21.04.2020	
Ecology CDC	31.03.2020	21.04.2020	08.05.2020
Environment Agency	31.03.2020	21.04.2020	02.05.2020
Environmental Health CDC	31.03.2020	21.04.2020	06.04.2020
CDC Finance	31.03.2020	21.04.2020	
Historic England	31.03.2020	21.04.2020	01.04.2020
Landscape Services CDC	31.03.2020	21.04.2020	04.06.2020
Licensing CDC	31.03.2020	21.04.2020	
Natural England	31.03.2020	21.04.2020	07.04.2020
Oxfordshire County Council	31.03.2020	21.04.2020	21.04.2020
Planning Policy CDC	31.03.2020	21.04.2020	
Thames Valley Police Design Advisor	31.03.2020	21.04.2020	
Thames Water	31.03.2020	21.04.2020	27.04.2020
Ambrosden Parish Council	31.03.2020	21.04.2020	17.04.2020
Blackthorn Parish Council	31.03.2020	21.04.2020	

Piddington Parish Council	31.03.2020	21.04.2020	
Blackthorn Parish Council	01.04.2020	22.04.2020	16.04.2020
Arcott Parish Council	04.04.2020	24.04.2020	06.04.2020
MOD Property – Planning Team	06.04.2020	27.04.2020	
Piddington Parish Council	07.04.2020	28.04.2020	24.04.2020
Agricultural Consultant	29.04.2020	20.05.2020	04.06.2020

Mr. B. Neville,
Senior Planning Officer,
Cherwell District Council,
Bodicote House,
Bodicote,
Banbury,
Oxfordshire, OX15 4AA.

Our ref: AGC/JC/CDC2-2020

Your ref: 20/00871/F

sanhamfarm@gmail.com

28th May, 2020

Dear Mr. Neville,

PROPOSED ERECTION OF A FREE RANGE EGG PRODUCTION UNIT, GATE HOUSE AND AGRICULTURAL WORKERS' DWELLING (RE-SUBMISSION OF 19/00644/F) – O.S. NO. 3300, NORTH OF RAILWAY LINE, ADJOINING PALMER AVENUE, LOWER ARNCOTT – W. POTTERS & SONS (POULTRY LIMITED)

I refer to your emails of 27th & 30th April, 2020, requesting I undertake a desktop agricultural appraisal of the above application. I now comment on this application as follows:-

1. The application site comprises 33.54 hectares (82.88 acres) of land at Palmer Avenue, Lower Arncott, and was purchased recently by the applicants W. Potters & Sons (Poultry Limited).
2. The application is for a 159 metre x 35 metre (521' x 115') poultry building with an eaves height of 3 metres (10') to accommodate 59,000 free range hens. When Paul Rhodes of Rhodes Rural Planning & Land Management prepared his report in May, 2019, he advised that Cherwell District Council request sight of the provisional contract to take the eggs from the unit. Subject to this being undertaken, and proving satisfactory, I consider there would be no objection on agricultural grounds to the poultry building subject to your normal planning conditions on siting and screening etc. of such a large building.
3. The proposed gate house building of 10 metres x 8 metres (33' x 26') is for security and bio security protocols to comply with Lion Standard egg production, and is therefore acceptable.

4. The application includes the application for a permanent agricultural workers' dwelling on the application site. Agricultural and other rural occupational dwellings are currently assessed under the National Planning Policy Framework (the Framework) revised in July 2018. Paragraph 79 of the revised Framework states "Planning Policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

(a) There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;" – Planning Practice Guidance was provided in July 2019 at paragraph 010 which deals with the need for rural workers' dwellings in the countryside, and which sets out considerations which may be relevant to take into account when applying paragraph 79(a). These are:-

1. "Evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24 hours a day and where otherwise there would be a risk to human or animal health, or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);- as the proposal is for a large free range poultry unit for 59,000 laying hens, the building will incorporate computer controlled systems for feed, water, temperature and ventilation, with alarm systems to alert staff of any failures in the building's controlled systems. It is normally accepted that for a unit of this size and nature there is an essential need for one person to live at or near the poultry unit to deal with any failures in the automated systems, and to protect the welfare of the poultry housed within the buildings; together with providing security for the unit to prevent crime, vandalism etc. I therefore consider this consideration has been satisfied.

2. "The degree to which there is confidence that the enterprise will remain viable for the foreseeable future;" – as Mr. Rhodes points out in paragraph 6.2 financial viability of his report. The existing business W. Potters & Sons (Poultry Limited) have provided three years trading accounts which show that the business is financially viable, however, Mr. Rhodes was informed that the application site will be run as a separate trading account known as W. Potters & Sons (Poultry Limited) number 2 Retirement Benefits Scheme. If this unit is to be run as a separate trading business to W. Potters & Sons (Poultry Limited), I agree with Mr. Rhodes that it would be a new business, with no trading history, and therefore, could not satisfy this consideration as the enterprise would not currently be established, or financially viable, or show that it has been profitable for any one of the last three years. Therefore, if this is a new trading business I consider this consideration has not been satisfied.

3. "Whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;" – if the proposed unit is to be run as a separate trading business it could not satisfy this consideration as it is not currently financially viable, as it has not yet been established.

Mr. B. Neville, Msc.,
Senior Planning Officer,
General Development Planning Team,
Cherwell District Council,
Bodicote House,
Bodicote,
Banbury,
Oxfordshire, OX15 4AA

Our ref: AGC/JC/CDC2A-2020
Your ref: 20/00871/F

15th June, 2020

Dear Mr. Neville,

PROPOSED ERECTION OF A FREE RANGE EGG PRODUCTION UNIT, GATE HOUSE AND AGRICULTURAL WORKERS' DWELLING (RE-SUBMISSION OF 19/00644/F) – O.S. NUMBER 3300, NORTH OF RAILWAY LINE, ADJOINING PALMER AVENUE, LOWER ARNCOTT – W. POTTERS & SONS (POULTRY LIMITED)

I refer to your email dated 9th June, 2020 where you request clarification on any existing dwellings in the area, and/or alternative security arrangements e.g. a night watchman etc. I now comment as follows:-

1. With regard to existing dwellings in the area/locality, Mr. Rhodes considered that the critical response time was 20 minutes. Therefore in his opinion dwellings within 20 minutes travelling time may be deemed suitable as per the guidance in the now superseded paragraph 3(iv) of Annex A to PPS7. In the applicant's assessment of needs the agents consider only properties within a two mile radius of the site would be acceptable. The cheapest property within that two mile radius was discounted as it would be unsuitable and was too expensive. Annex A to PPS7 has been cancelled and new guidance has been issued in the Planning Practice Guidance issued in July, 2019 – following Mr. Rhodes' report, at paragraph 010. This guidance only refers to the need being met through improvements to existing accommodation on the site. The applicant's assessment of needs (attached to your email) considers that any dwelling away from the site would be unsuitable or unacceptable due to cost and problems with neighbours etc.
2. In my opinion with a free range poultry unit of the size proposed i.e. 59,000 birds all being housed in one large building, a 20 minute response time would be unreasonable and unacceptable. I consider that in most cases where free range

poultry units of this size are permitted there would be a strong case for one of the full-time workers, preferably the manager, to live at or very close to the poultry unit and not in a local village or town, unless the off-site dwelling was very close to the poultry building i.e. within 500-600 metres of that building.

3. With regard to alternative security arrangements e.g. a night-watchman. This would not be a feasible solution as a night-watchman may be capable of providing security for the site, however he would be unlikely to be capable of solving problems with the water, feed or ventilation systems, or the computers that automatically control these systems. In addition, the cost of a night-watchman purely for security reasons would be prohibitive.
4. In paragraph 4.8 of the applicant's assessment of needs it is stated that "The Lower Arncott site will be run as part of an existing trading account, part of W. Potters & Sons (Poultry Limited)." It does not state that the site will not be run as W. Potters & Sons (Poultry Limited) number 2 retirement benefit scheme. I consider that this point should be clarified before any consent for a permanent dwelling is granted.
5. Paragraph 4.9 of the applicant's assessment of need states "A letter has been provided by Noble Foods, who will have the eggs produced by the proposed poultry unit." I have not had sight of this letter, however, I do not consider a letter from a prospective purchaser is a contract for three or more years.
6. I do not accept that the unit of 59,000 free range hens would have a standard labour requirement for 14.8 equivalent full-time employees. I calculate that the unit would have a standard labour requirement of 4.5 full-time workers.

In conclusion, I continue to ADVISE that there is no agricultural support for the proposed permanent dwelling unless clear evidence has been provided to show that the business will be part of W. Potters & Sons (Poultry Limited) and not number 2 retirement benefits scheme as was originally proposed. I also consider that there should be a three year plus contract in place for the eggs that are to be produced to enable the unit to become established over that time.

I trust the above clarifies the situation with regard to other dwellings and security provision etc.

Should you require any further information or advice on the agricultural aspects of this application please contact myself on 01664 813706.

Thank you for your further instructions in this matter.

Yours sincerely,

A.G. Coombe MRICS FAAV
Sanham Agricultural Planning Limited

4. "Whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context;" – I am unaware of any existing accommodation on the site, therefore, I consider this criteria is not relevant to this application.

5. "In the case of new enterprises, whether it is appropriate to consider granting planning permission for a temporary dwelling for a trial period." – If this large free range poultry unit is to be run as a separate trading business to W. Potters & Sons (Poultry Limited). I consider it would be a new enterprise, and as such it would be appropriate to consider granting planning permission for a temporary dwelling for a trial period of three years.

In conclusion, I ADVISE that if consent is granted for the free range poultry unit as proposed, there would be agricultural support for a temporary agricultural workers' dwelling for a period of three years to enable the new trading business to become established, and to provide evidence that it can sustain the cost of a permanent dwelling after the three year trial period expires.

However if the applicant company provide evidence that the business will be part of W. Potters & Sons (Poultry Limited) and that there is a provisional contract in place for the eggs to be produced and the contract is for a period of time that would enable the unit to become established i.e. more than three years, I ADVISE that there would be agricultural support for a permanent dwelling as the business is currently financially viable, and has been profitable over the last three years.

I trust the above will assist you to determine this application however should you require any further information on the agricultural aspects of the application would you please contact myself on 01664 813706.

Thank you for your instructions in this matter.

Yours sincerely,

A.G. Coombe MRICS FAAV
Sanham Agricultural Planning Limited

From: ambrosden.parishclerk@gmail.com
Sent: 17 April 2020 13:51
To: Planning <Planning@Cherwell-DC.gov.uk>
Subject: Comments on planning applications

Dear team,

Please see below a comments on a number of planning applications from Ambrosden Parish Council:

1. Ref: 20/00871/F

Request planning conditions on

- a. Construction Management Plan and Traffic Plans ensuring all traffic is routed down Palmers Avenue and not via Ploughley Road.
- b. Condition on lighting and that none to be visible from the North, east or west
- c. litter change should be done internally and not externally and trailers shouldn't be able to vent smells
- d. Limit number of chickens to the numbers stated in planning conditions
- e.

Many thanks.

Kind regards,

Gemma
Gemma Jennings
Clerk to Ambrosden Parish Council

Rachel Tibbetts

From: Anne Davies <clerkatarncott@gmail.com>
Sent: 09 April 2020 09:35
To: Planning; francesca darby
Subject: <https://planningregister.cherwell.gov.uk/planning/Display/20/00871/F?cuuid=40C4D066-EC76-4E7F-BB4F-A70425E2E121>

Arcott Parish Council objects most strongly to the above application on the following grounds:-

1. There are 3 other poultry production units in the area already and demand for this development is unwarranted as the others will supply enough without this being built.
2. The smell within the village and parish will be awful and subject to prevailing winds could present a constant problem.
3. Dust from feed during the summer months will also be a problem depending on the prevailing winds
4. The area is a flood plain and is subject to flooding during periods of wet weather.
5. Traffic on Palmer Avenue is already high as it is a rat run road and is heavily used for MOD vehicles and HGVs coming to and from the MOD estates and surrounding farms and businesses. The building of a site will present much higher traffic and the roads around the area are already in a relatively bad state of repair.
6. The waste from the chickens cannot be kept or processed on site so will be removed. The storage of it will present issues with smell, dust, and vermin associated with such effluent.
7. Given the close proximity to the prison, I cannot vouch for their side of the argument but having a constant smell would potentially make the mood within the prison more dismal than it already is, which could potentially put the staff at risk if this problem boils over into something more serious. I'd certainly question why they are not a statutory consultee as they are a neighbour, perhaps the largest, and yet they're not being consulted.
8. As the site is relatively rural, security of it cannot be overlooked.
9. It will not provide much potential for employment if all that is required is a 3 bedroom house so this is irrelevant with regards to improving employment within the area.
10. I have concerns over outbreaks of bird flu. If we have an outbreak and this property becomes afflicted, how will that potentially deadly risk be mitigated? What controls are to be put in place to limit the spread and reduce the risk to people in the area?
11. I certainly object to the proposal to put a residential house on the site as this opens up future applications to close the site and reapply to make the entire site a residential housing estate. It's a backdoor method to make a rural site a potential for residential in the future.

Comment for planning application 20/00871/F

Application Number	20/00871/F
Location	OS Parcel 3300 North Of Railway Line Adjoining Palmer Avenue Lower Arccott
Proposal	Erection of a free range egg production unit, gatehouse and agricultural workers dwelling including all associated works - re-submission of 19/00644/F
Case Officer	Bob Neville
Organisation Name	ARNCOTT PARISH COUNCIL
Address	Greystones House,6 Greystones Court,Kidlington,OX5 1AR
Type of Comment	Objection
Type	neighbour
Comments	<p>The attached document is titled ARNCOTT PARISH COUNCIL ADDITIONAL OBJECTION COMMENTS TO 20/00871/F. FREE RANGE EGG PRODUCTION UNIT - PALMER AVENUE, LOWER ARNCOTT This document has been submitted for the purposes of adding additional objection comments to the initial Arccott Parish Council submission dated 9th April 2020. Since that date, Arccott Parish Council has spent a considerable amount of time looking through the submitted documents for this planning application. The content in this attached document contains several references to many of the documents associated with this planning application that are available for public viewing. Examination of those documents revealed several instances of confliction and contradiction regarding the information presented on key issues associated with the proposed construction of this facility. The consequences of this facility being built would no doubt be extremely detrimental to the local ecology, neighbourhood, pasturelands, ponds, ditches, the River Ray and associated wildlife habitats. It is also likely that this facility would create a health risk and public nuisance to nearby and local area residents. Arccott Parish Council would like CDC to explain to all concerned as to why CDC decided an environmental impact assessment is not required for this planning application. Arccott Parish Council believe that the content contained in this attached submission puts forward legitimate and strong arguments as to why planning permission for this proposed facility should be refused. Arccott Parish Council would implore the planning authority to recognise the dangers and long term consequences that would result from this facility being constructed at this location and then make the correct decision which is the refusal of this planning application.</p>
Received Date	27/04/2020 14:20:35
Attachments	The following files have been uploaded: <ul style="list-style-type: none">• Arccott PC - additional objection comments to 20 00871 F.pdf

ARNCOTT PARISH COUNCIL – ADDITIONAL COMMENTS

OBJECTION TO PLANNING APPLICATION 20 / 00871 / F

FREE RANGE EGG PRODUCTION UNIT – PALMER AVENUE, LOWER ARNCOTT

The content of this objection is in addition to the previous objection submitted on 9th April 2020. As stated in that document, Arncott Parish Council strongly objects to this application and is of the opinion that the application is fundamentally the same as the previous application 19 / 00644 / F. This application seeks permission to construct the same type of facility on the same area of land which would create the same hazards as the previous application would have done had it been approved. Arncott Parish Council is still of the opinion that the construction and future operation of this facility would, over time, have a detrimental effect on the local land area adjacent to and beyond the site, the local wildlife habitat and the local ecology. Arncott Parish Council is also concerned as to what impact the ongoing operation of this site would have on the health and well-being of local residents. The opinion of Arncott Parish Council is that this planning application should be refused.

Much time and effort from many people went into producing the numerous consultation reports and the 90+ public objections that were submitted in opposition to the previous application. It is disappointing to be advised by CDC that none of those reports or objections can be considered as valid for this application. The reasons given in those reports and objections as to why people were, and still are, opposed to this facility being built are still very relevant and should be considered valid for this application. It should also be pointed out that some of the documents submitted on behalf of Potters Poultry for the previous application can also now be found in the CDC planning register for this current application. Why are those documents permitted to be used ? One rule for Potters Poultry and another rule for the general public it would seem.

The large number of objections to the previous application were submitted because many, many people consider that the construction and use of this facility would be very detrimental to the local environment and to peoples' health and well-being. People living in the local area are well aware that the residents in Ambrosden village together with the pupils and staff at Five Acres School have had to endure many instances over the years of the foul odours, stench and dust that have emanated from the chicken farm situated close to that village. In periods of hot weather those odours make it especially difficult for the residents, staff and pupils if the doors and windows are open. If this facility is built then the residents across the local area, and in particular, the nearby farms and the staff and inmates in Bullingdon Prison would likely find themselves in a similar situation.

Mention must be made of the fact that the authorities at Bullingdon Prison were not aware of this current application until they were notified by Arncott Parish Council. Bullingdon Prison is in close proximity to the site of this proposed facility. However, it would seem that CDC did not consider it necessary to include Bullingdon Prison on the neighbour consultee list. Why not ? CDC did not notify the Bullingdon Prison authorities regarding last year's application and CDC have not notified them about this current application.

ENVIRONMENTAL IMPACT ASSESSMENT – SIGNED OFF BY CDC ON 31ST MARCH & AGREED BY CDC ON 6TH APRIL AS AN UNNECESSARY REQUIREMENT !!!

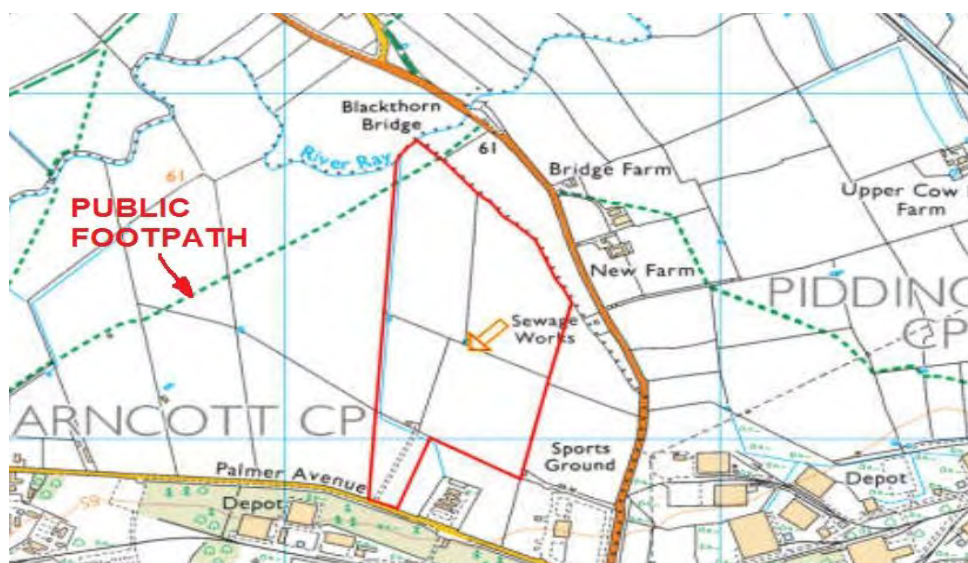
With reference to document *EIA- 20-00871-F Land Adj Palmer Ave L Arncott* in the CDC planning register for this application. The decision that an environmental impact assessment is not required for this application is a farce and demonstrates a complete lack of awareness or appreciation of the land area in question. How can it possibly be considered that an environmental impact statement is not necessary for this application ? An online search reveals that **"....Schedule 2 development for which EIA is required only if the project is likely to give rise to significant environmental effects. These are developments which include intensive fish farms; large pig and poultry units...."** The construction of this poultry unit would definitely have significant effects on the local environment. Who decided that it wouldn't ? It is naive to suggest that this site and the surrounding

land area would not be sensitive to any environmental change brought about from this facility being built. The River Ray and its associated floodplains are part of the Oxfordshire Conservation Target Area scheme and this land area together with others downriver would be environmentally threatened from the operation of this facility.

It is stated that there are no public footpaths on or immediately adjacent to the site. That statement is wrong. There is most certainly a public footpath near the site. The site location to be considered can be seen in the flood risk assessment document submitted by **Hydro Logic Services dated 23rd January 2019 - page 3, figure 1**. Figure 1 clearly shows the public footpath as a green dotted line coming from Arncott and going across the back of the site near to the River Ray before emerging onto the B4011 near to Blackthorn Bridge.

The existence of the footpath can also be seen on the website "<https://footpathmap.co.uk/map>".

Map shown in the Hydro Logic Services flood risk assessment document page 3, figure 1



Further, it is stated that it is unlikely that the development would produce significant amounts of waste, pollution, nuisances or have detrimental impacts on human health. It is also considered that the site would be unlikely to give rise to complex, long term or irreversible impacts.

That is a ludicrous conclusion to make. The arguments presented in the document **190719 BBOWT Chicken Farm, Arncott v1** which was submitted for the previous application clearly show that an environmental impact assessment is warranted. Those arguments are still relevant and should be considered for this planning application.

MANURE

The Management Plan documents submitted for both this and the previous application give the estimated amount of manure that would be removed from the site. However, it should be noted that the figures shown in the documents relate **ONLY** to the manure quantities that would be removed from the egg laying building via the use of the conveyor system – **NOT** from the complete site.

There would seem to be several contradictions within the Management Plan documents and the Design & Access document with regard to how much manure would actually be removed from the site.

Consider table 1. The figures shown for the manure removal cycle time and the manure amount removed per cycle are those stated in the **Management Plan documents sections 1.0, 7.0, 9.0 & 12.0** and the **Design & Access V2 document page 6**. Based on those figures, the estimated amounts of manure removed from the egg laying building per year varies between a maximum of 1,168 tonnes and a minimum of 510 tonnes. Which of the quantities shown is correct ?

Table 1 - Manure removal from the egg laying building ONLY - NOT from the whole site

Document Reference	Manure removal cycle time	Number of manure removals per 12 months (365 days)	Manure amount removed per cycle	Manure amount removed per month	Manure amount removed per 12 months
Management Plan docs for this app & app 19/00644/F section 1.0, para 4	5 days	73 (365 / 5)	16 tonnes	97 tonnes	1168 tonnes
Management Plan docs for this app & app 19/00644/F section 1.0, para 4	7 days	52 (365 / 7)	16 tonnes	69 tonnes	832 tonnes
Management Plan docs for this app & app 19/00644/F section 9.0	10 days	36 or 37 assume 37 (365 / 10)	14 tonnes	43.2 tonnes	518 tonnes
Design & Access V2 document, page 6, paragraph 7	10 days	36 or 37 assume 37 (365 / 10)	14 tonnes	43.2 tonnes	518 tonnes
Management Plan docs for this app & app 19/00644/F sections 7.0 and 12.0	425 days (365 + 60) (14 months)	States 1 cycle of 595 tonnes in 14 months	595 tonnes	42.5 tonnes	510 tonnes

How much manure would likely be produced per year by the 59,000 hens that would be housed at this facility ? The hens would defecate both inside of the egg laying building and on the ground of the outside paddocks across the extent of the site. Consider table 2. The figures were copied from three websites that give information about poultry.

Table 2 - Estimated manure production from 59,000 hens for whole site

Reference	Manure produced per month per hen	Manure produced per month by 59,000 hens	Manure produced per year by 59,000 hens
https://www.ctahr.hawaii.edu/oc/freepubs/pdf/GHGS-02.pdf	One hen will produce 59Kgs per year so 4.9Kgs per month	290 tonnes	3,480 tonnes
http://www.fao.org/3/al718e/al718e00.pdf	1000 hens produce 120Kgs per day so 3.65Kgs per hen per month	215 tonnes	2,584 tonnes
https://www.motherearthnews.com/homesteading-and-livestock/raising-chickens/chicken-manure-fertilizer-zm0z13amzkon	One hen will produce between 3.6Kgs to 5Kgs per month	Between 212 and 295 tonnes	Between 2,544 and 3,540 tonnes

Based on that information, 59,000 hens would produce between 3,540 tonnes and 2,544 tonnes of manure per year. If the maximum annual amount of manure removed from the site is only the 1,168 tonnes from inside the egg laying building then there would be between 1,376 tonnes and 2,372 tonnes of manure left on the ground in the outside paddocks per year - each and every year.

DRAINAGE & FLOODING

The site boundary line can be seen in the document submitted by **Hydro Logic Services dated 23rd January 2019 - page 3 fig 1 and page 4 figs 2 and 3**. It can be seen that the boundary line at the rear of the site runs close to the bank of the River Ray.

The **Hydro Logic Services document page 1, 4)** mentions that most of the site is located in a soil type that has impeded drainage. The percentage runoff for this soil type was found to be high at 51.56%. Consequently, it is considered unlikely that surface water could be managed using a system based around infiltration.

It is stated in the **Hydro Logic Services document - page 6, section 2** that the fluvial risk of the site being flooded (i.e. from the River Ray overflowing) is low but that surface water flooding and runoff needs to be considered.

It is stated in the **Hydro Logic Services document - page 7** that flood risk from all sources is low excepting surface water (pluvial) and fluvial (River Ray overflowing).

It is stated in the **Hydro Logic Services document - page 9, 3c** that pluvial flooding (i.e. the ground can no longer absorb the water) poses the biggest threat of flooding on the site and that surface water risks derive from the poorly draining clay-dominated soils which exist on the site.

The **Hydro Logic Services document states on page 6, 2a** that the existing development site falls completely within the zone 1 low risk flood category. This statement is **ONLY TRUE FOR** the proposed buildings. Reference to **page 6, figure 4** (below) shows that, whilst the egg laying building and other development would reside within flood zone 1, at least 50% of the entire site resides in flood zone 3 with a smaller percentage residing in flood zone 2. This is corroborated in the recently issued document on 19th March 2020 from **Hydro Logic Services, page 4, paragraph 2 - Response to comment on FRA-from-LLFA-19032020 Issue**



As previously mentioned, not all of the manure produced on the site would be removed from the site. There would be enormous amounts of uncomposted chicken manure laying on the ground across the extent of the site throughout the course of each and every year.

In periods of heavy rain the large quantities of manure laying on the ground would be turned into a slurry. The pasturelands in and around the site do not drain well through the ground so the slurry that would not be absorbed by the ground would mix with the storm water on the ground. The slurry would contain concentrated amounts of nitrogen and phosphorous and these would travel across the site in the slurry mix and into the adjoining pastureland, ditches and hedgerows as the storm waters drained away and receded towards the River Ray. Uncomposted chicken manure is very strong and can damage plant roots and kill off some plant types.

It's worth repeating that the River Ray and its associated floodplains are part of the Oxfordshire Conservation Target Area scheme. The consequences of the excessive amounts of nutrients from the manure slurry continually finding their way into the waters of ponds, ditches and the River Ray would be severe. Algae blooms would be formed in these waters which would block out sunlight. As the algae and plants die, the decomposition process would deplete the dissolved oxygen in the water and that would kill off fish and other aquatic life.

Both the Hydro Logic Services document and The Management Plan V2 document point out that swales and an attenuation basin will be used to control the clear surface water runoff from the impermeable area of the site. The output from both of these would be discharged into the existing on-site drain which, in turn, would flow out into the River Ray. Presumably, the impermeable area of the site is only that part of the site that would be built on and concreted over. The location of the attenuation basin and swales can be seen in the **Hydro Logic Services document - Response to comment on FRA-from-LLFA-19032020 Issue – page 10, figure 6.**

Mention is made that the attenuation scheme would be able to cope with the surface water runoff from the developed part of the site in the zone 1 low flood risk area unless a “certain” rainfall event happens. Should that “certain” rainfall event happen and the attenuation basin overflowed the runoff water would naturally flow North towards the River Ray.

Only the part of the site to be developed and concreted over would be in the zone 1 low flood risk area. The remainder of the site, outdoor paddocks and the surrounding land area are located in flood zones 2 and 3. The reality is that a lot of this site and the surrounding land area has been flooded several times over recent years – most recently February of this year as a result of the severe rainfall across the whole of the country. The River Ray overflowed into the surrounding pastureland and this will probably happen many more times in the future. The attenuation basin and swales built on the developed part of the site may not get flooded but their output will join the already flooded land areas.

NOISE

The latest **Management Plan document V2, section 11.0** states that 12 ridge mounted high velocity mechanical fans would be used to control the ventilation and temperature inside of the egg laying building.

The issue of noise levels that would come from the site is considered in a document compiled and submitted by **Matrix Acoustic Design Consultants - M1928 R01 Palmers Avenue – Noise Impact Assessment dated 18th June 2019**. This document was also submitted for the previous application. **Section 2** in this document contradicts the latest Management Plan document V2 because it is stated that 22 roof mounted extractor fan units – not 12 - would be used in two rows of 11.

It is stated in the **Matrix Acoustic Design Consultants document - section 2** that the choice of type, make and model of the extractor fan to be used at this facility is unknown at this time and has yet to be decided. Calculations for noise levels have been based on a fan unit manufactured by a company called Big Dutchman. The fan unit FF091-6DT has been used for the assessment. The online brochure from Big Dutchman states that the sound power level at the fan unit (the source)

would be 75 decibels but that the sound pressure level would be 50 decibels at a distance of 7 metres away from the fan unit. These decibel figures apply to a single fan unit. This facility would have 12 or 22 fan units so the likely combined noise levels would be 61 decibels from 12 fan units and 64 decibels for 22 fan units. Given that a vacuum cleaner emits approximately 70 decibels at a distance of 1 metre, the noise emitted from the Big Dutchman fan units could not, in fairness, be considered as excessive.

It is stated in the **Matrix Acoustic Design Consultants document - section 6** that if fan units are selected that have a significantly higher noise output than the fan unit used for their calculations then their recommendation is that the assessment is repeated using the correct data from the chosen fan unit.

As the choice and number of fan units for the proposed facility is not known at this time, the actual noise levels that would be emitted from the site are still to be established.

The **Matrix Acoustic Design Consultants document - section 2** states that the only plant noise generated would come from the roof mounted extract fans. However, the submission of the **Ammonia update_Redacted document** would suggest that one or more air cleaning unit(s) would be installed and used to filter out ammonia from the air inside the egg laying building. Would these units be installed? If yes, how many units would be installed and what would be the noise levels generated by one or more of these units?

What, if any, assessments have been done or will be done to determine how much noise would be made by 59,000 hens? – particularly when large numbers of them would be in the outside paddocks.

When unwanted hens need to be caught to be removed from site, would this activity take place at night and, if so, how often and what levels of noise would be made?

AIR POLLUTION FROM AMMONIA, ODOUR & DUST

With reference to the submitted **Odour Management Plan document dated June 2019**, the information presented in the tables on pages 2 and 3 would seem to apply only for the inside of the egg laying building. The first reference to ammonia shows that it is recognised as a potential risk and problem with regard to the manufacture and selection of feed. Adopting the correct methodology of how the feed would be prepared would, apparently, minimise those ammonia emissions. The second reference to ammonia is with regard to litter management. It's written that the action to be taken to minimise ammonia issues from litter management is to use sawdust. The document gives two references as to how ammonia levels could be minimised but no details are given with regard to how the ammonia produced would be dealt with and prevented from escaping into the atmosphere.

As already mentioned, the submission of the document **Ammonia update_Redacted document** would imply that one or more air cleaning unit(s) would be installed and used to filter out ammonia from the air inside the egg laying building. Again, the question – would one or more of these units be installed?

On **page 4** of the document, it is stated that the use of this air cleaner would reduce ammonia quantities by an average of 89%. On **page 5**, for partial cleaning, the figure is 58%. What quantity of ammonia would be produced inside the egg laying building? What quantity of ammonia would 89% and 58% represent? The remaining 11% - 42% of ammonia would be sucked out of the building and blown into the air.

The air cleaner(s) would only be of use for the egg laying building. What levels of ammonia gas would be emitted from the outdoor paddocks? What methodology, if any, could or would be used to control and mitigate the ammonia emissions into the air from the outdoor paddocks?

The content in the submitted document **Palmer Avenue Ammonia Report_sh110918** relates to the modelling of the dispersion and deposition of ammonia from this facility. **Page 7, section 3.5** seeks to explain the quantification of ammonia emissions.

Section 3.5.2 states that it is assumed only 12% of the manure produced by 59,000 chickens would be deposited onto the ground of the outside paddocks / ranging areas. According to table 2, the remaining 88% would be dropped in the egg laying building at night.

The data given in the **Management Plan** and **Design & Access documents** shows that the quantity of manure that would be removed from the building each year would be anything from a maximum of 1,168 tonnes to a minimum of 510 tonnes. Online research suggests that a maximum of 3,540 tonnes and a minimum of 2,544 tonnes of manure would be produced per year. If only 12% of the total manure production is deposited outside of the building then the quantity of manure left inside of the building must be within a maximum of 3,115 (88% of 3,540) tonnes and a minimum of 2,239 (88% of 2,544) tonnes.

It's highly unlikely to be the case that the annual amount of manure removed from the building will be considerably less than the annual amount of manure deposited in the building. That would suggest that the assumed figure of only 12% defecation outside of the building has to be wrong. It would seem that a far larger quantity of manure would be deposited on the ground of the outside paddocks than the figure of 12% that was used for this ammonia report. Taken together with the many variables and assumptions made in the compilation of this report, the validity of the concluding statement that ammonia levels from the site would satisfy the Environment Agency's requirements is questionable.

Inside of the egg laying building there would be poultry dust and vast quantities of fresh chicken manure. Poultry dust is likely to consist of dust from bedding together with a mixture of organic and non-organic particles, faecal material, feathers, dander, mites, bacteria, fungi and fungal spores. Uncomposted chicken manure can contain harmful pathogens such as cryptosporidium, E.coli and salmonella.

The extractor fan unit as shown in the Big Dutchman brochure mentioned previously does not appear to have any form of filtration unit built into it. If that, or a similar fan unit is used then those fan units would suck up the ammonia, stench and odour from the chicken manure together with the poultry dust and expel them into the outside air where they would be blown by the wind all over the local area. These pollutants would also find their way outside via the pop holes in the side of the building that would be used by the hens to gain access to the outside paddocks.

In dry conditions, thousands of chickens scratching at the ground in the outside paddocks would cause dust clouds to be formed. Those dust clouds would be similar to the poultry dust created in the building. The outside paddocks would be covered in uncomposted chicken manure. The dust clouds, stench and ammonia from the chicken manure would get blown by the winds across the local area.

It's likely that every time the egg laying building is cleaned out, the stench of chicken manure and large quantities of poultry dust would get dispersed into the outside air and blown away over the local area.

The creation of the ammonia, stench from the chicken manure and the poultry dust would be a continuous process as would their dispersal across the local area by the winds. It's probable that this would affect people living in the villages of Blackthorn, Arncott, Ambrosden and Piddington. In close proximity to this site, and probably most at risk, are the villagers of Blackthorn, the residents of Bridge Farm and New Farm and the staff and inmates in Bullingdon Prison.

The poultry dust could end up on peoples' clothes, in their cars and houses and pose a serious health threat to a lot of people. Breathing in the dust could affect peoples' respiratory system and cause problems such as a sore throat, coughing, and wheezing. People who suffer from asthma could be particularly vulnerable.

The close proximity of Bullingdon Prison to the site is cause for serious concern. With the winds blowing in the right direction, the stench of ammonia and chicken manure together with any dust and debris from the chicken facility would likely find its way into the confines of the prison. The environment within the prison will no doubt be a potentially hostile one to begin with. Having the smell and odour from the chicken unit circulating within the prison could provoke an adverse reaction from some of the inmates which could threaten the health and safety of other inmates and the prison staff.

LANDSCAPE

The Design & Access document states that the egg laying building would be 159 metres long, 35 metres wide and approximately 8 metres high at the roof ridge. Protruding from the roof would be the funnels from 12 or 22 fan units (yet to be confirmed). A muck store measuring 15 metres long by 8 metres wide would be built. Eight food silos would be installed alongside the building and those would also be about 8 metres tall. A gatehouse would be built measuring 10 metres long by 7 metres wide. A house would be built measuring 10 metres long, 8.5 metres wide and 7 metres high.

At present, this land area is predominately open and flat grass land that is used by animals for grazing on and by people who want to walk in the fresh, open air of this countryside. It is unfortunate that this facility would be built on part of it. With no natural cover available, the development and sheer scale of this site would be a complete eyesore and not in keeping with the surrounding countryside. The construction of this facility should not be allowed to take place at the proposed location.

The Lodge
1 Armstrong Road
Littlemore
Oxford OX4 4XT

FAO

Bob Neville
Planning Department
Cherwell District Council

By email only

7th May 2020

Dear Mr Neville

Application reference: 20/00871/F

Application: Free-range egg production unit, gatehouse and agricultural worker's dwelling

Location: Land adjoining Palmer Avenue, Lower Arnco

In relation to the above planning application, we have the following comments on behalf of the Berks, Bucks and Oxon Wildlife Trust (BBOWT). As a wildlife conservation focused organisation, our comments refer specifically to impacts on species and their habitats which may occur as a result of the proposed development, as well as possible impacts on staff, volunteers and visitors. BBOWT has an office and nature reserve (Meadow Farm) immediately to the north-east of the site of the proposed development. The edge of the nature reserve is between 450 and 500m from the proposed development, and only 170m from the edge of the area that the birds will be free-ranging within. The nature reserve is directly downwind in terms of SW prevailing winds.

BBOWT recognises that a number of improvements have been made in this application, with respect to biodiversity, compared to the previous application 19/00644/F. We welcome in particular the measures set out to significantly reduce the ammonia emissions, and the measures set out in relation to net gain in biodiversity. Nevertheless BBOWT remains deeply concerned about the potential impact of an operation of this scale, in the midst of an area of great biodiversity richness and close to BBOWT nature reserves, on both wildlife and on the staff, volunteers and visitors to our Meadow Farm nature reserve.

BBOWT objects to this proposed development for the following reasons:

- Potential water quality impacts, particularly in relation to impacts on the wildlife of Arnco Bridge SSSI, Field South of the River Ray LWS, Meadow Farm LWS, the River Ray itself and potentially other designated sites within the River Ray catchment.
- Potential impact from odour and dust on staff and volunteers based at Meadow Farm, and on visitors to the site, and therefore on our office, reserve, educational and visitor operations carried out at the site.
- Potential impact from ammonia emissions and aerial borne dust on the wildlife of Meadow Farm Local Wildlife Site and BBOWT nature reserve, and other designated sites and BBOWT reserves in the Upper Ray Meadows area.

We make the following comments in relation to this application.

1. Site location

The proposed development is a free-range egg production unit plus associated works, a dwelling and a gatehouse. The unit is planned for 59,000 birds. We welcome the submission of the plan showing the outside area where the birds will range.

The site itself is not subject to any statutory or local ecological designations. However, there are a number of Local Wildlife Sites (LWS), Ancient Woodland and a Site of Special Scientific Interest (SSSI) nearby, including BBOWT's flagship Meadow Farm just to the north of the site. These sites are:

- Meadow Farm LWS (covered further below)
- Field South of the River Ray LWS: Wet meadows. The southern field is ridge and furrow with tufted hair grass dominant particularly in wetter furrows.
- Arncott Bridge Meadows SSSI: 8.66 hectares, designated for the wide range of plant species which are largely confined to such old, unimproved, neutral grassland. The meadows show medieval ridge and furrow features indicating that they have not been ploughed for many centuries.
- Arncott Wood LWS: 16.73ha, largely semi-natural ancient woodland with an area of scrub and open grassland.
- Bicester Garrison Training Area South LWS: 13.54 hectares, scrub with patches of rough grassland important for butterflies (including black hairstreak) and birds (including nightingale)
- Site B Arncott LWS: 14.84 hectares, scrub and diverse rough grassland that is important for birds and butterflies.
- Little Wood LWS: 12.25 hectares, consisting of semi-natural strands with oak standards over hazel coppice.
- Piddington Wood LWS: 13.65 hectares, diverse area of lowland mixed deciduous woodland that is mainly a Woodland Trust reserve and mainly ancient woodland. The site is important for butterflies.
- Long Herdon Meadow SSSI: 4.66 hectares, designated for its extremely rich grassland community of a kind now drastically reduced and fragmented in lowland Britain.

The site is within the Ray Conservation Target Area. Conservation Target Areas identify some of the most important areas for wildlife conservation in Oxfordshire, where targeted conservation action will have the greatest benefit.

2. Potential water quality impacts, particularly in relation to impacts on the wildlife of Arncott Bridge SSSI, Field South of the River Ray LWS, Meadow Farm LWS, the River Ray itself and potentially other designated sites within the River Ray catchment.

We are concerned about the potential for impact on the River Ray and designated sites/priority habitats from manure, particularly that which is deposited by the birds when outside, being washed into the river and onto other parts of the floodplain, including during flooding events. Some of the free-ranging area is in Flood Zones 2 and 3 (and the hen house is in Flood Zone 1). We raised this concern in our responses to 19/00644/F. As the area will have up to 60,000 birds this represents a large amount of nutrient being brought in, in the form of feed. This is an operation on an entirely different scale to the agricultural practices traditionally practised in the area.

The concentration in the area of up to 60,000 birds, many, many more than could naturally exist on an area of land of this size, is dependent on bringing in large amounts of feed, which brings with it the

Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust
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nutrients present in the food. Some of those nutrients will leave the farm in the form of eggs, and some in the form of manure deposited in the house which we understand is to be removed and taken off-site. This still leaves significant amounts of manure that will be deposited when the birds are outside (the Odour Report supplied indicated that up to 20% of the manure can be deposited outside, depending upon a number of factors) and we are not clear what measures are being taken to either safely remove this manure or ensure that the nutrients within it are not able to enter watercourses outside of flooding events, or spread out over the surrounding land, including many designated sites, during flooding events. Chicken manure is noted for being high in phosphorous and nitrogen. These nutrients can cause eutrophication in rivers, leading to negative impacts on biodiversity. They can also cause increased grass growth on lowland meadow priority habitat on designated sites, potentially leading to the loss of the species that the habitat is designated for.

The meadows at Meadow Farm flood every winter. Some of the pasture where birds might range and deposit manure is in Flood Zones 2 and 3, meaning that it seems likely that some of this land may flood most winters, and sometimes in summer. This will mean manure could be washed into the wider floodplain which contains numerous designated sites which are vulnerable to nutrient input, including Arcnott Bridge SSSI, Field South of the River Ray LWS, and Meadow Farm LWS. And with or without a flooding event it would seem there is the potential for the nutrients in the manure to enter watercourses that would convey the nutrients into the River Ray and pollute the river and downstream. Downstream of the site lies the important SSSI of Arcnott Bridge, again host to the rare and vulnerable MG4 habitat described above, and the meadows of Field South of the River Ray LWS. Climate change means that we should anticipate increased frequency and intensity of rainfall. There is a lack of information on what will end up in the water courses. The watercourses and the designated sites highlighted above are vulnerable to impact on their wildlife from nutrient input into watercourses, particularly during flood events. **An assessment is needed of this potential impact and mitigation measures implemented to ensure that the proposal leads to no risk of increased pollution in designated sites or the River Ray.** An increase in the level of tree planting offered should be considered e.g. at a woodland scale as opposed to the planting of groups of trees which we understand is currently what is being offered. If large areas of woodland are provided, to completely surround the housing and an area of pasture around it, so that woodland become the predominant feature of the farm, we believe this would contribute to ameliorating this issue.

3. Potential impact on staff and volunteers based at Meadow Farm, and on visitors to the site, and therefore on our office, reserve, educational and visitor operations carried out at the site.

Meadow Farm, just to the north of the proposed development site, is one of a series of meadows that form the Upper Ray Meadows nature reserve. Meadow Farm has a building which is used as an office on a daily basis by 10-15 staff and volunteers. It is the key site for presenting the Upper Ray Reserves to the public with events and open days. It is a base for volunteers to meet before heading out to work at nature reserves across the Upper Ray. It has an education centre, and has hosted educational school visits in the past and we intend to do so in the future. Meadow Farm lies to the north-east of the development site. Figures 3a and 3b in the Odour Report, shows meteorological data, specifically showing prevailing winds which come from the south-west. **Being downwind of the development site in terms of the SW prevailing wind, only about 530m from the chicken housing, and only about 170m from the areas over which the chickens are free-ranging, we are therefore concerned about the potential impact of the following on staff, volunteers and visitors to Meadow Farm and their health and safety:**

- **Odour**

- **Dust**

We welcome the submission on this occasion of a detailed Odour Report. It indicates what we already believed to be the case, that Meadow Farm would be one of the sites with higher potential levels of odour, due to a combination of its proximity and the prevailing winds. Whilst the average levels expected are indicated to be below what might normally cause concern we note the following section of the report in section 3.1 which indicates that this does not necessarily mean that the odour will not on some occasions be noticeable e.g.:

“Therefore, although average exposure levels may be below the detection threshold, or a particular guideline, a population may be exposed to short term concentrations which are higher than the hourly average. It should be noted that a fluctuating odour is often more noticeable than a steady background odour at a low concentration.”

So we remain concerned about the potential impact of odour on the staff and volunteers of Meadow Farm, and visitors to the site.

We would also imagine that there will be increased levels of dust emanating from the site compared to the present day, potentially in the form of both soil, during dry periods, emanating from where vegetation has been scratched away and in the form of particles of manure. **We remain concerned about this issue as well since as with the odour issue, the prevailing winds mean that Meadow Farm is particularly likely to be impacted if there is a dust issue.** An increase in the level of tree planting offered should be considered e.g. at a woodland scale as opposed to the planting of groups of trees which we understand is currently what is being offered. If large areas of woodland are provided, to completely surround the housing and an area of pasture around it, so that woodland become the predominant feature of the farm, we believe this would contribute to ameliorating this issue.

We welcome the submission of a dust management plan. This indicates a number of measures to be implemented. What it does not indicate is what level of dust will remain after these measures and therefore what the potential impact on our nature reserve, offices and education facilities at Meadow Farm will be. There appears to be no assessment of impact, only a description of control measures so we do not consider this matter resolved.

We are also not clear what the potential dust impacts are from the area where the birds will be free-ranging. We are not clear if this has been assessed and considered. With 59,000 birds free-ranging over the fields – pecking and manuring - then there appears to be great potential for the production of dust. This dust could potentially contain pathogens harmful to humans. The edge of the free-ranging area is within 200m of our offices and education facilities. We re-iterate that the prevailing wind blows directly from the housing and the fields used for free-ranging birds. We remain concerned about the potential dust impacts on our staff, volunteers, visitors and educational groups and hence on our operations at the site. We are also concerned by the potential for dust to blow onto the nature reserve, bringing in nutrients from dried and decomposed droppings and thus elevating nutrient levels on the reserve with negative impacts from increasing nutrient levels on the grassland. Higher nutrient levels act detrimentally by raising the nutrient composition of the soil so that commoner plants that thrive on high nutrient levels, such as grasses, outcompete the rarer plants that are adapted to lower nutrient conditions, this changing the species composition and the habitat itself over time.

We ask that further assurances, and measures to minimise dust, are given.

4. Potential impact from ammonia emissions and aerial borne dust on the wildlife of Meadow Farm Local Wildlife Site and BBOWT nature reserve, and other designated sites and BBOWT reserves in the Upper Ray Meadows area.

We welcome the recognition given to the concerns raised over this with the previous application, in terms of its implications for the rare wildlife habitats and species that exist in the area. We welcome the measures that have been included in the proposal to reduce ammonia levels, including ammonia scrubbers and tree planting.

The previous ammonia report, with higher levels of ammonia, is still included un-amended in the new application. We do not know if this matters, but merely point it out to emphasise that any conditions, should the authority be minded to approve the application, in relation to what is provided should be based upon the Ammonia Update report e.g. Detailed Ammonia Emission and Nitrogen Deposition Reduction Plan. Whilst we welcome the measures offered, there remains the possibility that they will not succeed in reducing levels to what is indicated for the Meadow Farm e.g. 5.04% of critical level at the closest modelled point in Meadow Farm, and 2.2% and 1.73% at other points in Meadow Farm. We set out in detail in our response to the previous application our very serious concerns about the potential ammonia impact (prior to the reductions now proposed) on the rare habitats and species of Meadow Farm. Rather than repeating that case here, it is included as an Appendix rather than in the main text as it will have been read before in relation to the previous application and in order to make the main response more concise. It was written in relation the last application where higher levels of ammonia were expected. It is included as an Appendix rather than in the main text as it will have been read before in relation to the previous application and in order to make the main response more concise. Whilst the levels of ammonia referred to in the Appendix have reduced significantly, we include the text in the response to make the case for robust conditions in relation to ammonia mitigation, and for a long-term monitoring programme.

In order to ensure that the rare floodplain meadow grassland at Meadow Farm and at other designated sites in the area (see Appendix 1 for more details) is not impacted by ammonia / air-borne dust we would ask that the following measures are provided:

- 1) In the event that the authority is minded to approve the application, the inclusion of some form of reasonable Condition to make the maintenance and correct functioning of the measures provided to reduce ammonia a condition of operation for the duration of the operation of the farm.**
- 2) To address our concern that the measures offered may not succeed in reducing levels to what is indicated for Meadow Farm LWS e.g. 5.04% of critical level at the closest modelled point in Meadow Farm, and 2.2% and 1.73% at other points in Meadow Farm, we ask that a monitoring programme is provided to ensure long-term monitoring of ammonia levels at Meadow Farm, comparing existing levels with levels after the proposed farm, if approved, becomes operational.**
- 3) To ensure that the levels of ammonia experienced do not impact on the habitat and species we ask for a Condition to require some form of long-term biological monitoring to ensure that if significant changes to habitats and species occur, that seem likely to result from increased ammonia from the farm, then it would be possible to require additional measures to ameliorate the impact.**

We have set out above our concerns over dust in relation to the staff and volunteers of Meadow Farm, and visitor to the site, from air-borne dust. Any such dust is likely to have elevated nutrient levels so also poses a possible source of nutrient input to the habitat, with potentially similar consequences to those from ammonia input. **As requested above we ask that further assurances, and measures to minimise dust, are given in relation to this.**

5. Biodiversity net gain

Cherwell Local Plan states:

“In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources”

The new NPPF is very clear about the need for biodiversity net gain. In order to achieve biodiversity net gain this development would need to firstly and most importantly ensure no negative impact on designated sites in the area, priority habitats including hedgerows, and on watercourses. Secondly it should demonstrate sufficient habitat creation on site to provide evidence of net gain in biodiversity.

We welcome the submission of the report: “Ecological Mitigation and Biodiversity Net Gain”

This includes a number of measures that are welcome, including the creation of a significant area of species-rich meadow, some ponds, and hedgerows, amongst other measures. **In the event that the authority is minded to approve the application, we would ask that Conditions are used to ensure that:**

- 1) **all the measures offered in the above mentioned report are fully provided; and**
- 2) **a long-term management plan is submitted and approved by the local authority ecologist to ensure that the details of the provision can be agreed and a commitment to management into the long-term – we would suggest for the duration of the operation of the proposed free range egg unit – is given, with details of what management would occur on an on-going basis. We would welcome the opportunity to comment on such a long-term management plan as well.**

We reiterate that BBOWT objects to this proposed development.

We request that the Berks, Bucks and Oxfordshire Wildlife Trust (BBOWT) be consulted on subsequent applications on this site further to this planning application.

Thank you for consulting us. We hope that these comments are useful. Should you wish to discuss further any of the matters raised, please do not hesitate to contact us.

Yours sincerely



Christopher Williams
Land Management & People Engagement Director
Berks, Bucks and Oxon Wildlife Trust

Appendix 1

The following text is extracted direct from our response to 19/00644/F. It was written in relation the last application where higher levels of ammonia were expected. It is included as an Appendix rather than in the main text as it will have been read before in relation to the previous application and in order to make the main response more concise. Whilst the levels of ammonia referred to below have reduced

significantly, we include this text here to make the case for robust conditions in relation to ammonia mitigation, and for a long-term monitoring programme.

Extract from BBOWT response to the previous application 19/00644/F:

“Meadow Farm itself comprises 28.5 hectares of rare Mesotrophic type 4 (MG4) grassland, one of the best examples of unploughed ridge and furrow, showing abundant great burnet and knapweed with patches of sneezewort and pepper saxifrage and tubular water-dropwort in the furrows. It is one of the only places in the area where true fox sedge grows naturally. While designated a Local Wildlife Site, its habitat is of equivalent value to the Oxford Meadows SSSI/SAC. MG4 grassland is nationally under threat, with less than 1,500 ha remaining, and so Oxfordshire has a responsibility to preserve what little is left. Indeed, Natural England, in 2014, published a revision to Chapter 3 (Lowland Grasslands)¹ which recognised that certain types of lowland grassland priority habitat were now so rare and threatened that the standard SSSI protocols of selecting a sample of sites that meet SSSI standards were no longer appropriate and that “all examples greater than 0.5ha should be selected”. This revision is recent and we are not certain if designation under it has yet begun but in the meantime the implication is that there are now a number of MG4/MG5 lowland meadow priority habitats that potentially should be designated as SSSIs. We therefore consider that until Natural England provide advice on how such sites should be treated in the planning system the Council should assess planning applications on sites where blocks of MG4/MG5 habitat greater than 0.5 ha in area are present on the basis that the site qualifies as a SSSI. **We therefore consider that Meadow Farm LWS should be treated as an SSSI in the analysis of impacts of the proposed development.**

The Ammonia Report gives a % of critical level for ammonia on part of Meadow Farm (see (Page 20, Table 6, Receptor number 1) of 45.9%. Earlier in the Ammonia Report it states:

“Where modelling predicts a process contribution >20% of the Critical Level/Load at a SAC, SPA or Ramsar, >50% at a SSSI or >100% at a NNR, LNR, ancient woodland or local wildlife site, your proposal may not be considered acceptable. In such cases, your assessment should include proposals to reduce ammonia emissions.” It then states:

“Within the range between the lower and upper thresholds; 4% to 20% for SACs, SPAs and Ramsar sites; 20% to 50% for SSSIs and 100% to 100% for other non-statutory wildlife sites, whether or not the impact is deemed acceptable is at the discretion of the Environment Agency.”

For the reasons given above we consider that Meadow Farm should be treated as a SSSI in this context. We also consider that as the site is of equivalent quality to the Oxford Meadows SAC then the scoring for SACs is also relevant. If treated as a SSSI then our interpretation is that this would bring Meadow Farm into the range where it states: *“whether or not the impact is deemed acceptable is at the discretion of the Environment Agency.”* Indeed if it were to be treated as an SAC, then it would bring it into the range of *“your proposal may not be considered acceptable. In such cases, your assessment should include proposals to reduce ammonia emissions.”*

This is sufficient to raise considerable concerns that the additional levels of ammonia deposition will have a detrimental impact on one of the finest sites for wildlife in Oxfordshire. Ammonia acts detrimentally by raising the nutrient composition of the soil so that commoner plants that thrive on high nutrient levels, such as grasses, outcompete the rarer plants that are adapted to lower nutrient conditions.

¹ [http://jncc.defra.gov.uk/pdf/SSSI_Chptr03_revision_2014\(v1.0\).pdf](http://jncc.defra.gov.uk/pdf/SSSI_Chptr03_revision_2014(v1.0).pdf)

We consider that that the results in the Ammonia report should be re-interpreted as if Meadow Farm LWS is a SSSI.

The National Planning Policy Framework (NPPF 2018) is clear on how SSSIs should be treated in the planning system. NPPF Paragraph 175 b) states “development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), **should not normally be permitted.**”

Even if Meadow Farm is treated as a LWS we would point out that the above raises considerable concerns on the potential for detrimental impact and Cherwell Local Plan states that:

“Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity”

The 181 hectare Upper Ray Meadows Nature Reserve is a core part of BBOWT's Upper River Ray Living Landscape, a Wildlife Trust project to create space for wildlife and people together.

Apart from Meadow Farm and Long Herdon Meadow SSSI, the Ammonia report does not consider the other meadows that form BBOWT's Upper Ray Meadows Nature Reserve. 97% of wetland grasslands in the UK were lost in the 20th century through drainage and intensive farming. The Upper Ray Meadows are a stronghold for internationally rare species because arable farming in the area is difficult due to frequent flooding and heavy clay soils. Consequently, there are areas of old, unploughed ridge and furrow and in spring and early summer you can see a rich collection of grasses, sedges and meadow plants such as cuckooflower, yellow rattle, meadowsweet and ragged-robin among many other species. In the summer the drier meadows are ablaze with wild flowers such as black knapweed, great burnet, tubular water dropwort, meadowsweet, tufted vetch and lesser trefoil, attracting large numbers of butterflies and other insects. **We are concerned that the proposed development could lead to increased nutrient deposition and change the ecology of the rare species-rich meadows.**

Consultee Comment for planning application 20/00871/F

Application Number	20/00871/F
Location	OS Parcel 3300 North Of Railway Line Adjoining Palmer Avenue Lower Arccott
Proposal	Erection of a free range egg production unit, gatehouse and agricultural workers dwelling including all associated works - re-submission of 19/00644/F
Case Officer	Bob Neville
Organisation	Clerk to Blackthorn PC
Name	Mrs Tracey Charlesworth
Address	North End House Blackbull Lane Fencott Kidlington OX5 2RD
Type of Comment	Object
Type	
Comments	<p>Blackthorn Parish Council object on the following grounds: Odour: As has been pointed out by others, there are already a number of chicken units in the area which already produce problems with smells in the area. On top of the odours noted by those in Ambrosden (which also will affect the new houses built in Blackthorn parish on the edge of Ambrosden) and Arccott, Blackthorn also has odours from Blackstone Farm (animal disposal) and Evigo at Shaws Farm (the rat breeding factory) to contend with. This will mean that whatever the wind direction Blackthorn is at risk of unpleasant odours. Blackthorn has already experienced the odours from deceased chicken carcasses and places where they can be disposed off are increasingly difficult to find. If they are stored on site awaiting collection before being driven around the country this will further add to the odour from the chickens and their waste. The calculations that the company have made to show that the smells will be at an acceptable level do not take account of the levels already in existence. Pestilence: At a time of great concern over Covid-19, adding a new facility which would increase the opportunities for bird flu would seem unwise. Pollution: The areas where the chickens run include flood plains. These are flooded regularly and were flooded only a few weeks ago. Although the applicants will argue that the chickens can be locked up if it floods and the majority of the waste will be collected inside the barns, there will still be substantial amounts of urea spread from the thousands of chickens and this will inevitably end up in the nearby River Ray, (and then Cherwell & Thames).</p>
Received Date	16/04/2020 15:21:04
Attachments	

Consultee Comment for planning application 20/00871/F

Application Number	<input type="text" value="20/00871/F"/>
Location	<input type="text" value="OS Parcel 3300 North Of Railway Line Adjoining Palmer Avenue Lower Arcott"/>
Proposal	<input type="text" value="Erection of a free range egg production unit, gatehouse and agricultural workers dwelling including all associated works - re-submission of 19/00644/F"/>
Case Officer	<input type="text" value="Bob Neville"/>
Organisation	<input type="text" value="Building Control (CDC)"/>
Name	<input type="text"/>
Address	<input type="text" value="Building Control Cherwell District Council Bodicote House White Post Road Bodicote Banbury OX15 4AA"/>
Type of Comment	<input type="text" value="Comment"/>
Type	<input type="text"/>
Comments	<input type="text" value="A full plans application will be required. A fire engineer?s design strategy document should be provided, along with a disabled access statement."/>
Received Date	<input type="text" value="14/04/2020 14:02:20"/>
Attachments	



Cherwell District
CPRE Oxfordshire
c/o 20 High Street
Watlington
Oxfordshire OX49 5PQ

Telephone 01491 612079
campaign@cprexon.org.uk

www.cprexon.org.uk

working locally and nationally to
protect and enhance a beautiful,
thriving countryside for everyone to
value and enjoy

Bob Neville, Senior Planning Officer
Cherwell District Council
Bodicote House, Bodicote
Banbury
Oxon
OX15 4AA

June 2nd 2020

Ref : 20/00871/F Erection of a free range egg production unit, gatehouse and agricultural workers dwelling including all associated works - re-submission of 19/00644/F

Dear Mr Neville,

CPRE wish to strongly object to this application for an egg production unit for up to 59,000 chickens. Despite the claim that the enterprise is 'free range', it is clearly a factory farm requiring industrial units. The storage and disposal of tons of manure as well as the efficacy of the removal of ammonia produced in the sheds is clearly a concern.

The scale of the development is far too large and too close to several villages as well being adjacent to an important local wildlife site at BBOWT's Meadow Farm. The smell will be intolerable for several hundreds of villagers as well as visitors to the nature reserve.

CPRE notes that there are 5 local wildlife sites within one kilometre of the site which is also within the Upper River Ray Conservation Target Area. Biodiversity enhancements should be targeted to this area rather than be threatened by pollution from so many hens. Nature reserves and SSSIs are the most biodiverse areas of the countryside and should be protected from developments that threaten them. We are concerned that there has been no environmental impact assessment of these plans.

The site is crossed by a public footpath thus the development would negatively affect this public amenity.

Yours sincerely,

Pamela Roberts

Dr PJ Roberts
Vice-Chair Cherwell District CPRE

Copies to: Sir David Gilmore, Chairman Cherwell District CPRE
Helen Marshall, CPRE Director

Rachel Tibbetts

From: Bob Neville
Sent: 13 May 2020 09:37
To: DC Support
Subject: FW: 20/00871/F

From: Charlotte Watkins <Charlotte.Watkins@Cherwell-DC.gov.uk>
Sent: 08 May 2020 00:30
To: Bob Neville <Bob.Neville@cherwell-dc.gov.uk>
Subject: 20/00871/F

Ref.: 20/00871/F

Address: OS Parcel 3300 North Of Railway Line Adjoining Palmer Avenue Lower Arncott

Proposal: Erection of a free range egg production unit, gatehouse and agricultural workers dwelling including all associated works - re-submission of 19/00644/F

Bob

The submitted scheme has improved on the previous scheme at the site in terms of ecology. The updated ammonia plan contains measures which are likely to alleviate some of the concerns as far as the effects of ammonia on the wider area and importantly on Local Wildlife Sites. These measures should be conditioned. Whether they go far enough to eliminate the probability of an effect on Priority habitats in the vicinity I am not sure. BBOWT may be better placed to comment on this aspect as regards the LWS.

An Ecological Mitigation and Biodiversity Net Gain report has been submitted with a plan of proposed planting. The outlined mitigation and enhancement has the potential to be good however I could not see an indication of where new hedging is to be created and there are no plans of where the 12 acres of species rich grassland and additional enhanced grassland within the ranging fields are to be sited. This makes it a too vague to condition.

A plan of all the mitigation and enhancement measures outlined within the report would make it easier to assess whether a net gain could be achieved and should be produced for assessment up front. A landscape and ecology management plan or statement should be conditioned to show the management of these features long term.

The site is almost entirely within a Conservation Target Area which is not mentioned within the ecology report but which, as per local policy, means we should ensure that the development will help meet the aims of the CTA. The main outstanding issue for this is the potential for an impact on water quality. Given the site and ranging fields for the poultry is within an area of flood risk there is potential for manure from these events to enter watercourses and be deposited elsewhere which could have ecological impacts. Does the applicant have any information on the potential for this impact and how it will be prevented?

Kind regards

Charlotte

Dr Charlotte Watkins

Ecology Officer

Tel: 01295 227912

Email: Charlotte.Watkins@Cherwell-DC.gov.uk

www.cherwell.gov.uk

My usual working hours are: Monday and Wednesday mornings.

Coronavirus (COVID-19): In response to the latest Government guidance and until further notice, the Planning Service has been set up to work remotely, from home. Customers are asked not to come to Bodicote House but instead to phone or email the Planning Service on 01295 227006: planning@cherwell-dc.gov.uk. For the latest information about how the Planning Service is impacted by COVID-19, please check the website: www.cherwell-dc.gov.uk

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Mr Bob Neville
Cherwell District Council
Planning & Development Services
Bodicote House White Post Road
Bodicote
Banbury
OX15 4AA

Our ref: WA/2020/127762/01-L01
Your ref: 20/00871/F
Date: 2 May 2020

Dear Mr Neville

Erection of a free range egg production unit, gatehouse and agricultural workers dwelling including all associated works - re-submission of 19/00644/F

Os Parcel 3300 North of Railway Line Adjoining, Palmer Avenue, Lower Arcott

Thank you for consulting us on the above application, on 31 March 2020.

No attempt has been made to consider what the impact of climate change to the proposed development will be. In addition, no topographical survey has been provided. This should be submitted to show height differences between the flooding extents and proposed development onsite.

Environment Agency position

In the absence of an acceptable Flood Risk Assessment (FRA) we **object** to this application and recommend that planning permission is refused.

Reason

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Assess the impact of climate change using the latest guidance and appropriate climate change allowances.
- Demonstrate that the proposed development has finished floor levels above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change.

Overcoming our objection

The applicant can overcome our objection by submitting an FRA which covers the deficiencies highlighted above and demonstrates that the development will not increase flood risk elsewhere and where possible reduces flood risk overall.

Specifically the FRA will need to demonstrate that the appropriate allowances for climate change have been considered.

Cont/d..

Our climate change allowances for planning were updated on 19 February 2016 and should be used to assess proposed development within flood risk areas. This guidance is available through the following link:

<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

Please refer to this to determine which allowances should be used for this development.

The applicant should demonstrate that finished floor levels for the proposed development are set above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change. This will reduce the risk of flooding to people and property.

Final comments

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Mr Samuel Pocock
Planning Advisor

Direct dial 0208 474 5075

Direct e-mail planning_THM@environment-agency.gov.uk

Mr Bob Neville
Cherwell District Council
Planning & Development Services
Bodicote House White Post Road
Bodicote
Banbury
OX15 4AA

Our ref: WA/2020/127762/02-L01
Your ref: 20/00871/F
Date: 20 June 2020

Dear Mr Neville

Erection of a free range egg production unit, gatehouse and agricultural workers dwelling including all associated works - re-submission of 19/00644/F

Os Parcel 3300 North of Railway Line Adjoining, Palmer Avenue, Lower Arcott

Thank you for re-consulting us on the above application on 4 June 2020, following the submission of the Response to LLFA on FRA-SWMP report, prepared by Hydro-Logic Services, reference L0199, version 2, dated 4 May 2020, the email correspondence, prepared by Hydro-Logic Services, reference WA/2020/127762/01-L01 (L0199a), dated 4 June 2020 and the email correspondence, prepared by Hydro-Logic Services, reference WA/2020/127762/01_L01 (L0199a), dated 9 June 2020.

Having reviewed these documents, we consider that it satisfactorily addresses our earlier concerns. Subject to the condition below, we therefore **withdraw our previous objection**, dated 2 May 2020.

Environment Agency position

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following **planning condition** is included.

Condition

The development shall be carried out in accordance with the submitted Flood Risk Assessment, prepared by Hydro-Logic Services, reference L0199/SPN, dated 23 January 2019, the email correspondence, prepared by Hydro-Logic Services, reference WA/2020/127762/01-L01 (L0199a), dated 4 June 2020 and the email correspondence, prepared by Hydro-Logic Services, reference WA/2020/127762/01_L01 (L0199a), dated 9 June 2020, and the following mitigation measures it details:

1. 1083 m³ of compensatory floodplain storage is provided.
2. Finished floor levels are set no lower than 62 metres above Ordnance Datum.
3. There shall be no raising of existing ground levels on the site.
4. Any walls or fencing constructed within or around the site shall be designed to be permeable to flood water.
5. There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.

The mitigation measure(s) shall be fully implemented prior to occupation and

Cont/d..

subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

This condition is sought in accordance with paragraph 163 of the National Planning Policy Framework to reduce the risk of flooding on-site and elsewhere. In particular to:

- To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
- To reduce the risk of flooding to the proposed development and future occupants.

Advice to Local Planning Authority

The proposed poultry farm will require a permit under the Environmental Permitting Regulations (England and Wales) 2016. We do not have enough information to know if the proposed development can meet our requirements to prevent, minimise and/or control pollution in order to be granted an environmental permit. We would therefore recommend that the applicant complete and submit an environmental permit pre-application and advice form to arrange a discussion with our National Permitting Service.

We are conscious that this site is in relatively close proximity to a watercourse and is located within a floodplain, therefore there may be a risk of run-off from outside ranging areas. As such we would recommend that livestock and manure are kept away from watercourses. The applicants proposal to rotate the birds around a series of paddocks (with gravel/crushed stone around pop holes), is generally considered good practise as it can limit poaching and promote good grass coverage/regeneration, helping to control surface run-off. However it is important to note that the site is located within a Nitrate Vulnerable Zone (NVZ) and therefore must comply with the Nitrate regulations. The Nitrate regulations limit the deposit of nitrogen in livestock manure to 170kg per hectare and calendar year (this includes manure deposited directly by livestock and spreading). The location and management of manure would also need to comply with the Reduction and Prevention of Diffuse Pollution in (England) Regulations 2018 (known as Farming Rules for Water).

Final comments

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Mr Samuel Pocock
Planning Advisor

Direct dial 0208 474 5075

Direct e-mail Planning_THM@environment-agency.gov.uk

From: [Neil Whitton](#)
To: [Bob Neville](#)
Cc: [DC Support](#)
Subject: 20/00871/F - OS Parcel 3300 North Of Railway Line Adjoining Palmer Avenue Lower Arccott
Date: 06 April 2020 12:30:51

Environmental Protection has the following response to this application as presented:

Noise: Having read the noise report provided I am satisfied with its findings based on the assumed type of equipment provided. Should other equipment be used that has a higher noise rating then the calculations should be run again and if required mitigation installed operated to ensure that noise levels do not exceed those stated in the noise report. Any updated noise report should be provided to and approved by the LPA prior to the equipment being installed and used.

Contaminated Land: No comments

Air Quality: The development(s) hereby permitted shall not be occupied until it has been provided with a system of electrical vehicle charging to serve those development(s) In addition ducting should be in place to allow for the easy expansion of the EV charging system as demand increases towards the planned phase out of ICE vehicles (ideally ducting should be provided to every parking space to future proof the development).

Reason – To comply with policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework

Odour: Having studied the Odour and Ammonia reports provided it is noted that the predicted odour at the nearest residential properties will be below the levels set out by the Environment Agency's benchmark levels for odour from activities such as these. As this site will be permitted by the EA I agree that this is the correct measure for assessing such odours and as such have no objections to the application on odour grounds. That is not to say that on occasions odour will be detected by nearby residents. If this is of a level to draw complaints then it will be for the EA to investigate in the first instance however the council does still have a duty to carry out investigations should a persistent odour be noted and evidenced.

Light: No comments

If you wish to deviate from the suggested conditions then this should be discussed with the officer making these comments to ensure the meaning of the condition remains and that the condition is enforceable and reasonable.

NB: Please note my new working pattern below, I will only respond on the days appropriate to the email content

Mon – Weds: Environmental Protection, Thurs – Fri: Health Protection and Compliance

Kind Regards

Neil Whitton BSC, MCIEH
Environmental Health Officer
Environmental Health and Licensing
Cherwell District Council
Tel - 01295 221623
Email - Neil.Whitton@cherwell-dc.gov.uk

<http://www.cherwell.gov.uk/>

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From: South East ePlanning <e-seast@HistoricEngland.org.uk>
Sent: 01 April 2020 12:40
To: Planning <Planning@Cherwell-DC.gov.uk>
Subject: RE: Planning notification for application reference: 20/00871/F

Good afternoon,

T&CP (Development Management Procedure) (England) Order 2015 & Planning (Listed Buildings & Conservation Areas) Regulations 1990

Address: Os Parcel 3300 North Of Railway Line Adjoining, Palmer Avenue, Lower Arccott
Application: 20/00871/F

Thank you for your letter dated 31st March 2020 regarding the above application. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are attached.

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request.

Yours sincerely

Hannah

Hannah Blackmore | Business Officer- London & South East
Direct Line: [02079733149](tel:02079733149)

Historic England | 4th Floor, Cannon Bridge House
25 Dowgate Hill | London | EC4R 2YA
www.historicengland.org.uk

Please note that I do not work on Tuesdays.

From: CDC Development Management [<mailto:planning@cherwell-dc.gov.uk>]
Sent: 31 March 2020 09:52
To: South East ePlanning
Subject: Planning notification for application reference: 20/00871/F

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Please see the attached letter for details. Regards Development Management Cherwell District Council Direct Dial 01295 227006 planning@cherwell-dc.gov.uk
www.cherwell.gov.uk Find us on Facebook www.facebook.com/cherwelldistrictcouncil
Follow us on Twitter @Cherwellcouncil

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From: Judith Ward
Sent: 04 June 2020 10:19
To: Bob Neville
Subject: RE: 20/00871/F - consultation

My concerns regarding the mitigation planting are as follows:

It will take at least 25years for the trees to develop a mature size, this is probably not far off the life of the building so for the majority of the time there wouldn't be effective screening. They are proposing scattered trees, but all are fairly close to the building so there won't be the cumulative effect of planting at different distances from the building.

Any planting subjected to flooding will struggle. Some of the species proposed are unsuitable as they don't like heavy soils, others don't like varying ground water levels. More flooding like that experienced this year would kill most young plants.

The building is very large and as such very difficult to mitigate the impact of it in such a flat landscape as there is no intervening topography to help screen it. Continuous planting which would create a green wall would only serve to emphasise the scale of the building and is not good practice. From a landscape impact point of view there isn't an effective way of mitigating the presence of the building.

Kind regards
Judith

Judith Ward
Landscape Planning Officer
Cherwell District & South Northants Councils

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 07 April 2020 09:51
To: Planning <Planning@Cherwell-DC.gov.uk>
Subject: Consultation Response - 20/00871/F

Dear Sir,

Application ref: 20/00871/F
Our ref: 313390

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 23 May 2019.

The advice provided in our previous response applies equally to this **resubmission**.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Yours faithfully

Beth Seale
Operations Delivery
Consultation Team
Natural England, County Hall, Spetchley Road, Worcester, WR5 2NP
[Tel:03000603900](tel:03000603900)

www.gov.uk/natural-england

<mailto:consultations@naturalengland.org.uk>

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Natural England offers two chargeable services – the Discretionary Advice Service, which provided pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Species mitigation licence applications. These services help applicants take appropriate

account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see [here](#)

For further information on the Pre-submission Screening Service see [here](#)

From: CDC Development Management [<mailto:planning@cherwell-dc.gov.uk>]

Sent: 31 March 2020 09:52

To: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>

Subject: Planning notification for application reference: 20/00871/F

Please see the attached letter for details. Regards Development Management Cherwell District Council Direct Dial 01295 227006 planning@cherwell-dc.gov.uk www.cherwell.gov.uk Find us on Facebook www.facebook.com/cherwelldistrictcouncil Follow us on Twitter @Cherwellcouncil

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COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application No: 20/00871/F-2

Proposal: Erection of a free range egg production unit, gatehouse and agricultural workers dwelling including all associated works - re-submission of 19/00644/F

Location: Os Parcel 3300 North Of Railway Line Adjoining, Palmer Avenue, Lower Arcott

Response date: *18th June 2020*

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

Application no: 20/00871/F-2

Location: Os Parcel 3300 North Of Railway Line Adjoining, Palmer Avenue, Lower Arncott

General Information and Advice

Recommendations for approval contrary to OCC objection:

IF within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweighs OCC's objections, and given an opportunity to make further representations.

Outline applications and contributions

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

Where a S106/Planning Obligation is required:

- **Index Linked** – in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee - TBC**
This is an estimate of the amount required to cover the extra monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether an s106 agreement is completed or not.

Application no: 20/00871/F-2

Location: Os Parcel 3300 North Of Railway Line Adjoining, Palmer Avenue, Lower Arcott

Transport Schedule

Recommendation:

No new information that is material to highways has been submitted. As such, OCC stand by our previous response to this application.

Officer's Name: Glenn Speakman

Officer's Title: Assistant Transport Planner

Date: 17th June 2020

Application no: 20/00871/F

Location: Os Parcel 3300 North Of Railway Line Adjoining, Palmer Avenue, Lower Arncott

Lead Local Flood Authority

Recommendation:

No objection subject to conditions

Key issues:

Evidence must be supplied to demonstrate Environment Agency consent to permit development.

Conditions:

SuDS:

No development shall take place until a Detailed Design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Detailed Design prior to the use of the building commencing.

A detailed drainage strategy including calculations, ground levels and plans must be submitted for approval. The detailed drainage will follow the FRA and SWMP submitted for planning (Appendix A: Surface Water Management Plan). The detailed drainage design will discharge at a maximum 7l/s and attenuate up to and including the 1 in 100 year event plus climate change, as per the Upper Thames Catchment recommendation.

Attenuation volumes to be described in Detailed Design with an expectation that discharge rate will be reduced.

The Detailed Design shall be based upon the Outline Design principles set out in the following documents and drawings:

Hydro-Logic Services Appendix A: Surface Water Management Plan.

Final point of discharge and rate to be clearly noted on drawing.

A compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire"

Detailed design drainage layout drawings of the SuDS proposals including cross section details.

Detailed design clearly demonstrating how exceedance events will be managed.
Detailed design clearly demonstrating how pollution will be managed from the poultry farm in exceedance events.
Pre and Post development surface water flow paths to be identified on plan.
Details of how water quality will be maintained during construction.
Evidence of groundwater depth test results to be submitted.
Groundwater level monitoring to be undertaken for the duration of one year from completion of construction.
Evidence that WFD requirements have been addressed to improve water quality.

The scheme shall also include:

Discharge Rates

Discharge Volumes

Sizing of features - attenuation volume

Detailed drainage layout with pipe numbers

SUDS (list the suds features mentioned within the FRA and associated Drainage Strategy documentation to ensure they are carried forward into the detailed drainage strategy)

Network drainage calculations

Phasing

The plans must show that there will be no private drainage into the public highway drainage system

Reason:

To ensure that the principles of sustainable drainage are incorporated into this proposal.

Completion and Maintenance of Sustainable Drainage – Shown on Approved Plans

No building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in perpetuity in accordance with the agreed management and maintenance plan, (including contact details of any management company).

SuDS Features and Drainage Maintenance Plan (Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, to be prepared and submitted as stand-alone document)

Reason:

To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

SuDS – Design Documentation Plans

Prior to occupation, a record of the approved SuDS details shall be submitted to and approved in writing by the Local Planning Authority for deposit in the Lead Local Flood Authority Asset Register. The details shall include:

As built plans in both .pdf and .shp file format;

Photographs to document each key stage of the drainage system when installed on site;
Photographs to document the completed installation of the drainage structures on site.

Reason:

In accordance with section 21 of the Flood and Water Management Act 2010.

Detailed comments:

Evidence of EA removal of objection and consent to allow development required.

Above conditions to be addressed, documentation and drawings provided to the LPA and LLFA in accordance with conditions.

Officer's Name: Adam Littler

Officer's Title: Drainage Engineer

Date: 18 June 2020

COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application No: 20/00871/F

Proposal: Erection of a free range egg production unit, gatehouse and agricultural workers dwelling including all associated works - re-submission of 19/00644/F

Location: Os Parcel 3300 North Of Railway Line Adjoining, Palmer Avenue, Lower Arcott

Response date: *30th April 2020*

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

Application no: 20/00871/F

Location: Os Parcel 3300 North Of Railway Line Adjoining, Palmer Avenue, Lower Arncott

General Information and Advice

Recommendations for approval contrary to OCC objection:

IF within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweighs OCC's objections, and given an opportunity to make further representations.

Outline applications and contributions

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

Where a S106/Planning Obligation is required:

- **Index Linked** – in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).
- **Administration and Monitoring Fee - TBC**
This is an estimate of the amount required to cover the extra monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.
- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether an s106 agreement is completed or not.

Application no: 20/00871/F

Location: Os Parcel 3300 North Of Railway Line Adjoining, Palmer Avenue, Lower Arncott

Transport Schedule

Recommendation:

Objection for the following reasons:

- It has not been demonstrated that the visibility splay is adequate to provide a safe and suitable access

If, despite OCC's objection, permission is proposed to be granted then OCC requires prior to the issuing of planning permission a S106 agreement including an obligation to enter into a S278 agreement to mitigate the impact of the development plus planning conditions as detailed below.

Key points

- A visibility splay appropriate to the speed limit or measured speeds is required
- A S278 agreement will be necessary for a bellmouth junction
- The proposed development will have minimal impact on the highway network in terms of trip generation

Comments:

Due to the Coronavirus situation, a site visit as part of this assessment has not been possible. Therefore, this application has been assessed on its merits from the information provided for consideration and a desk top analysis.

Visibility splays

I am aware of the comments made by my colleague to the previous withdrawn application, 19/00644/F. However, I am concerned that the visibility splay to the west, which is shown as 150m on drawing no. RJC-MZ275-01, is not sufficient for the vehicle speeds along Palmer Avenue, which is subject to the national speed limit, i.e. 60mph.

A splay of 210m is typically needed for a road such as this, in line with the requirements of the Design Manual for Roads and Bridges, and as indicated towards the east. Westbound and eastbound speeds are likely to be very similar so the available visibility splays should be the same in each direction.

As there is a grass verge on the south side of Palmer Avenue the visibility splay at the bend could pass over that which is within the highway boundary, which is most likely to be along the highway edge of the ditch. Confirmation of the boundary should be

sought by contacting the OCC Highway Records team via the link <https://www2.oxfordshire.gov.uk/cms/content/contact-highway-records>

Thus, it may be that the actual visibility splay available is greater than 150m but it still needs to be demonstrated on a topographical survey that at least 210m is possible, for the access to be acceptable.

Speed survey data may also be used to determine the length of the visibility splay. However, at present the quantity and nature of the traffic may not give a true reflection of the long-term speed profile. Please refer to <https://www.oxfordshire.gov.uk/residents/roads-and-transport/transport-policies-and-plans/transport-new-developments/transport-development-control> for the latest advice on using traffic survey data. OCC do not hold any historic data for Palmer Avenue.

It has not been demonstrated that a safe and suitable access can be achieved, as required by the National Planning Policy Framework (para. 108), so I object to this application.

Highway Access

There are no details in the documentation of the type of access proposed. To accommodate the six- or eight-wheeler HGVs used for bulk food delivery, a new bellmouth junction will be necessary. I presume that there will be a security gate across the access road, so this must be sufficiently far back from the highway edge in order that the HGV can pull off and wait for the gate to be opened (which must be inwards) without obstructing the carriageway. Consideration should also be given to the maximum size of construction HGVs, which may be longer than the food delivery trucks.

A S278 agreement will be necessary to create the bellmouth access from the highway. Please refer to <https://www.oxfordshire.gov.uk/residents/roads-and-transport/transport-policies-and-plans/section-38-and-section-278> for further details. Vehicle tracking of the largest HGV to use the junction needs to be submitted as part of the application.

Trip Generation

According to the Design and Access Statement, there will be feed deliveries three times a month and egg collections three times a week. This would result in approximately thirty two-way HGV movements a month, which will have a negligible impact on the highway network.

It is not clear from the documentation how staff will travel to site. Clause 5.7 of the Assessment of Need & Design and Access Statement indicates that there will be 15 full-time workers, with just one of these resident on the site. Travel by Stagecoach S5 bus to Bullingdon prison is possible, although much of the 15-minute walk to the site is along Palmer Avenue with no footways. Therefore, the majority of staff movements will be by car. Given the nature of the business I would expect that start and finish times could be outside of peak traffic hours on the network.

S278 Highway Works:

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- New bellmouth junction access to the site from Palmer Avenue

Notes:

This is secured by means of S106 restriction not to implement development (or occasionally other trigger point) until S278 agreement has been entered into.

The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary in order to enter into the S278 agreements.

S278 agreements include certain payments that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

Access: Full Details

Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

Vision Splay Protection

The vision splays shall not be obstructed by any object, structure, planting or other material of a height exceeding 0.9m measured from the carriageway level.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

Officer's Name: Glenn Speakman

Officer's Title: Assistant Transport Planner

Date: 16th April 2020

Application no: 20/00871/F

Location: Os Parcel 3300 North Of Railway Line Adjoining, Palmer Avenue, Lower Arncott

Lead Local Flood Authority

Recommendation:

Objection

Key issues:

- Insufficient surface water management, flood risk, SuDS use, mitigation measure information provided to enable technical assessment of the proposal.
- Site partially in FZ3 – evidence required of consultation with EA.
- Proposal is not aligned with Local or National Standards in its current iteration.
- Significant surface water flood risk has not been addressed.

Detailed comments:

A fully informed Outline Design stage Surface Water Management Strategy is required to be submitted in accordance with National and Local Standards and industry best practice as per CIRIA C753.

Local and National Standards: The [Non-statutory technical Standards for sustainable drainage systems](#) were produced to provide initial principles to ensure developments provide SuDS in line with the NPPF and NPPG. Oxfordshire County Council have published the "[Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire](#)" to assist developers in the design of all surface water drainage systems, and to support Local Planning Authorities in considering drainage proposals for new development in Oxfordshire. The guide sets out the standards that we apply in assessing all surface water drainage proposals to ensure they are in line with National legislation and guidance, as well as local requirements.

The SuDS philosophy and concepts within the Oxfordshire guidance are based upon and derived from the CIRIA [SuDS Manual \(C753\)](#), and we expect all development to come forward in line with these principles.

In line with the above guidance, surface water management must be considered from the beginning of the development planning process and throughout – influencing site layout and design. The proposed drainage solution should not be limited by the proposed site layout and design.

The outline submission should include but not limited to:

Soakage test results to be provided (to BRE365), including shallow testing.
Discharge at relevant return periods to be at Greenfield rate.

40% Climate Change allowance to be applied to calculations.
MicroDrainage (or similar software) calculations provided not to use default Cv values, these are not representative of the site. It is recommended values of 0.95 for roofs and 0.9 for paved areas are applied. The designer must justify where a Cv of less than 0.9 has been used.
Calculations should be undertaken for all relevant return periods and identify the critical duration used.
Evidence of Source Control required.
Green space on site should be maximised for inclusion of SuDS techniques.
Water to be kept at or as close to the surface as possible.
Evidence of permission to connect Surface Water to Thames network required, should this be the final point of discharge.
Site should be split into separate catchments and a system of distributed site storage/surface water management employed.
Pre and Post development overland surface water flow plan required.
Safe ingress/egress needs to be demonstrated.
Sacrificial areas in the event of exceedance should be considered.
Further thought needs to be given to maximising use of green space on site for SuDS incorporation.
Treatment and Management train needs to be demonstrated.
All hardstanding should be of a permeable construction, where this is not considered practical full explanatory justification to be provided.
Blue/Green roofs and rainwater harvesting should be considered.
Confirmation required for half drain down times, for example any attenuation features on site.
Justification as to whether 10% Urban Creep allowance has been applied required.
Phasing – to be detailed on plan including descriptive methodology as to how surface water will be managed during construction, the mobilisation of sediments and any contaminants.
Conveyance routing – to be kept on the surface and detailed on drawing.
WFD – justification as to how water quality from site will be improved
Exceedance – justification as to how surface water will be managed on site in event of failure or exceedance event.
Dispersed site storage and conveyance routing to be clearly identified on drawing.
Management and Maintenance Plan to be submitted in perpetuity

Officer's Name: Adam Littler
Officer's Title: Drainage Engineer
Date: 30 April 2020

From: [Planning](#)
To: [DC Support](#)
Subject: FW: Chicken farm Arncott
Date: 24 April 2020 16:12:56

From: piddington parishclerk <piddington.pariah.clerk@googlemail.com>
Sent: 24 April 2020 16:08
To: Planning <Planning@Cherwell-DC.gov.uk>
Subject: Chicken farm Arncott

Piddington Parish Council objects most strongly to the above application on the following grounds:-

1. There are other poultry production units in the area already and demand for this development is unwarranted as the others will supply enough without this being built.
2. The smell within the village and parish will be an ongoing environmental issue.
3. Dust from feed during the summer months will also be a problem depending on the prevailing winds
4. The area is a flood plain and is subject to flooding during periods of wet weather.
5. Traffic on local roads including Palmer Avenue is already high as it is a rat run road and is heavily used for MOD vehicles and HGVs coming to and from the MOD estates and surrounding farms and businesses. The building of a site will present much higher traffic and the roads around the area are already in a relatively bad state of repair, and the environmental effects of increased traffic on the locality will be damaging.
6. The waste from the chickens cannot be kept or processed on site so will be removed. The storage of it will present issues with smell, dust, and vermin associated with such effluent.
7. The 3 bedroomed house is not essential development and is outside the Arncott Village envelope.

--

Regards,
Anne Davies
Piddington Parish Clerk

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Rachel Tibbetts

From: Planning
Sent: 27 April 2020 12:53
To: DC Support
Subject: FW: 3rd Party Planning Application - 20/00871/F

Matthew Swinford
Appeals Administrator
Cherwell District Council
Direct Dial 01295 221889
matthew.swinford@cherwell-dc.gov.uk
www.cherwell.gov.uk

Follow us:

Find us on Facebook www.facebook.com/cherwelldistrictcouncil

Follow us on Twitter @Cherwellcouncil

My usual working hours are: Monday to Friday, 08.45am to 17:15pm.

Coronavirus (COVID-19): In response to the latest Government guidance and until further notice, the Planning Service has been set up to work remotely, from home. Customers are asked not to come to Bodicote House but instead to phone or email the Planning Service on 01295 227006: planning@cherwell-dc.gov.uk. For the latest information about how the Planning Service is impacted by COVID-19, please check the website: www.cherwell-dc.gov.uk.

-----Original Message-----

From: BCTAdmin@thameswater.co.uk <BCTAdmin@thameswater.co.uk>
Sent: 27 April 2020 12:50
To: Planning <Planning@Cherwell-DC.gov.uk>
Subject: 3rd Party Planning Application - 20/00871/F

Cherwell District Council
Planning & Development Services
Bodicote House
Bodicote, Banbury
Oxon
OX15 4AA

Our DTS Ref: 61521
Your Ref: 20/00871/F

27 April 2020

Dear Sir/Madam

Re: OS Parcel 3300 North Of , Railway Line Adjoining Palmer Avenue, Lower Arcott, OXFORDSHIRE , x

Waste Comments

The planning application proposal sets out that FOUL WATER will NOT be discharged to the public network and as such Thames Water has no objection. Should the applicant subsequently seek a connection to discharge Foul Waters to the public network in the future, we would consider this to be a material change to the application details, which would require an amendment to the application and we would need to review our position.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc may be required before the Company can give its consent. Applications should be made at <https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

Water Comments

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Supplementary Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

Yours faithfully
Development Planning Department

Development Planning,
Thames Water,
Maple Lodge STW,
Denham Way,
Rickmansworth,
WD3 9SQ
Tel:020 3577 9998
Email: devcon.team@thameswater.co.uk

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Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA

15th June 2020

Dear Mr Neville,

Application: 20/00871/F

Proposal: Erection of a free range egg production unit, gatehouse and agricultural workers dwelling including all associated works - re-submission of 19/00644/F | OS Parcel 3300 North Of Railway Line Adjoining Palmer Avenue Lower Arccott

Objection – Detrimental impact to ancient woodland

As the UK's leading woodland conservation charity, the Woodland Trust aims to protect native woods, trees and their wildlife for the future. We own over 1,000 sites across the UK, covering around 29,000 hectares (71,000 acres) and we have 500,000 members and supporters.

Ancient Woodland

Natural England¹ and the Forestry Commission define ancient woodland “*as an irreplaceable habitat [which] is important for its: wildlife (which include rare and threatened species); soils; recreational value; cultural, historical and landscape value [which] has been wooded continuously since at least 1600AD.*”

It includes: “*Ancient semi-natural woodland [ASNW] mainly made up of trees and shrubs native to the site, usually arising from natural regeneration*

Plantations on ancient woodland sites – [PAWS] replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi”

Both ASNW and PAWS woodland are given equal protection in government’s National Planning Policy Framework (NPPF) regardless of the woodland’s condition, size or features.

The Woodland Trust **objects** to the above planning application because of a lack of information to enable us to assess the potential for damage and deterioration to a number of ancient woodlands (designated on the Ancient Woodland Inventory) as a result of ammonia air pollution emissions and nitrogen deposition. There are approximately 13 areas of ancient woodland found within 5km of the application boundary which may be affected by the proposed development, including the Trust’s own site Piddington Wood.

¹ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

Planning Policy

The National Planning Policy Framework, paragraph 175 states: “When determining planning applications, local planning authorities should apply the following principles:

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists;”

Footnote 58, defines exceptional reasons as follows: “For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

There is **no wholly exceptional reason** for the development in this location and as such this development should be refused on the grounds it does not comply with national planning policy.

The Council should also have regard for **Policy ESD 10 (Protection and Enhancement of Biodiversity and the Natural Environment)** of the Cherwell Local Plan 2011 – 2031.

Impacts to ancient woodland from nitrogen air pollution

Nitrogen pollution is one of the most significant and immediate threats to ancient woodlands and other semi-natural ecosystems in the UK. Levels of atmospheric ammonia and nitrogen deposition are negatively affecting habitats where important biodiversity has developed through historically low atmospheric levels of reactive nitrogen, resulting in a deterioration of their ecological integrity. This is leading to direct loss of species, but there is also a growing evidence-base revealing wider impacts on ecosystem functioning and resilience. This includes loss of soil fungi that trees depend upon (ectomycorrhizae), resulting in increased susceptibility to stress from climate and tree diseases.

Whilst the Woodland Trust acknowledges that the applicant has completed an ammonia emissions report, there has been no detailed ammonia reporting for the areas of ancient woodland within proximity to the site. It is our opinion that modelling of ammonia dispersal and nitrogen deposition - when provided - would need to demonstrate that the process contribution of this individual development to the critical level of ammonia and critical load of total nitrogen deposition would be **insignificant (<1%)** at the closest receptor of all areas of ancient woodland. The Woodland Trust has produced guidance on assessing ammonia air pollution impacts on ancient woodlands, which is attached within the footnote².

Conclusion

The Woodland Trust **objects** to this planning application unless the applicant is able to demonstrate through detailed atmospheric modelling of dispersal and deposition that any resulting increase to the levels of ammonia and nitrogen deposition will be insignificant (<1% of the critical level or load) at all ancient woodland sites.

If you would like clarification of any of the points raised please contact us via campaigning@woodlandtrust.org.uk

² <https://www.woodlandtrust.org.uk/publications/2019/04/air-pollution-ammonia/>

Yours sincerely,

Nicole Hillier
Campaigner – Woods under Threat