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**Shropshire Hills AONB Partnership**

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Your Ref: 16/03334/EIA  
Our Ref: ph\_060916\_16\_03334\_EIA Hurst Barn

6<sup>th</sup> September 2016

Dear Grahame

**16/03334/EIA Erection of 2 No poultry sheds, feed bins, solar voltaic panels, ancillary equipment and alterations to vehicular access Hurst Barn, Clunton, Craven Arms, SY7 0JA**

**The Shropshire Hills AONB Partnership objects to this application.**

We have reviewed the applicant's documentation and on landscape and biodiversity grounds, we have a number of concerns regarding the impact of the proposed development.

**Landscape:**

The Landscape and Visual Impact Assessment (LVIA) Non-technical summary p2, states; *"The overall residual effect on the local landscape is therefore predicted as being minor and beneficial".* We do not believe that the impact of any large industrial development in the heart of the Shropshire Hills AONB can be considered either minor or beneficial. We believe the LVIA seeks to downplay the importance and sensitivity of the AONB and the impact of the proposed development.

The LVIA p20, states *"Following the implementation and establishment of the planting works at Operational Year 10, the magnitude of change would remain as minor adverse and there will be no significant effect on this medium sensitivity landscape resource".* The LVIA goes on to state: *"The combination of a minor magnitude of change on a medium sensitivity resource will result in no significant effect".*

The LVIA should classify the Landscape Value as 'high' on account of the AONB designation, and the greater than doubling of the built footprint of this farm can only be described as a 'substantial' magnitude of change. The impact overall is therefore without doubt 'significant', and the mitigation measures proposed, while lessening the impact, do not make it acceptable.

The LVIA p21, seeks to justify the development, stating *"There are some notably large clusters of modern agricultural sheds close by within the Clun valley"..... "The proposed broiler sheds would result in no cumulative landscape effects with any of these existing farmsteads or poultry sheds".*

We disagree with this statement. Such an argument would allow progressive destruction of the AONB landscape where one poor development justifies the next, and this bears no relation to national and local policy on AONBs. The reality is in fact quite the contrary, recent constructions of a number of large agricultural buildings contribute to a creeping industrialisation of the Clun Valley, which in fact makes this part of the AONB highly sensitive to change resulting from further large buildings.

**The National Planning Policy Framework** is quite clear that general policies within the Framework supporting particular types of development activity do not over-ride the location-specific policies protecting AONBs. Indeed the very first policy paragraph within NPPF, Para 14 on the 'golden thread' of sustainable development, highlights through footnote 9 AONBs as an exception to a presumption in favour of development, as one of a few types of special area where "*specific policies in this Framework indicate development should be restricted.*"

The specific policy in Para 115 of the Framework states:

*115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.*

The buildings in this application represent a significant expansion of the curtilage of the built footprint of the farm. We would argue that this constitutes 'major development' and so para 116 of NPPF also applies:

*116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:*

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated*

If the development is not judged major, we contend that it should still be refused against other relevant policies.

Shropshire Council Core Strategy and SAMDev policies also indicate the great weight which should be applied to the AONB designation and indicate that this application should be refused:

*Explanation to Policy CS5 Countryside and Green Belt, para 4.72 (extract) "whilst this policy seeks to facilitate a wide range of beneficial rural development, the operation of this policy, in conjunction with Policy CS6 and more detailed policies in the SAMDev DPD, recognises the need to consider the scale and design of proposals, where development is most appropriately sited, environmental and other impacts. There will be a significant emphasis on achieving quality and sustainability of design, particularly locally appropriate design and use of materials. Thus, proposals which would result in isolated, sporadic, out of scale, badly*

*designed or otherwise unacceptable development, or which may either individually or cumulatively erode the character of the countryside, will not be acceptable. Whilst these considerations will apply generally, there will be areas where development will need to pay particular regard to landscape character, biodiversity or other environmental considerations including in the Shropshire Hills Area of Outstanding Natural Beauty.”*

Policy MD2 Sustainable Design, Explanation (extract)

*For development affecting the Shropshire Hills AONB, particular regard should be paid to the Shropshire Hills AONB Management Plan and supplementary guidance.*

Policy MD7 – General Management of Development in the Countryside

*(explanation, para 4.66) The changing needs and effects of agricultural and other related enterprises in the countryside are a particular local issue, in particular the impacts of large scale agricultural buildings. General sustainable design criteria and development management considerations are as relevant to this type of development as other proposals in the countryside and the Plan seeks to balance the needs of the countryside as a working environment with its role as a place to live and enjoy. The policy defines the primary considerations that will be taken into account in considering agricultural development proposals which require planning consent. Additional criteria set out in other relevant policy such as MD2 Sustainable Design and MD12 Natural Environment which, for example, highlights special requirements in the Shropshire Hills AONB, which would also need to be taken into account in considering applications. It should be noted that where appropriate, planning conditions will be attached to a permission to control the quality of the development and to ensure the scheme incorporates appropriate agreed mitigation measures such as coloured external cladding, landscaping and waste management;*

### **Biodiversity:**

The proposed development is upstream from the River Clun Special Area of Conservation [(SAC) Natura 2000] and the River Teme Site of Special Scientific Interest (SSSI). The River Clun is designated as a SAC for its freshwater pearl mussel interest; it is of international significance and is one of only three rivers in England so designated.

The International Union for Conservation of Nature (IUCN) identifies the freshwater pearl mussel as a ‘Critically Endangered’ ‘Red List’ species. In this context, the River Clun pearl mussel population represents a unique genetic resource requiring special measures to ensure its future survival.

Over recent years the River Clun has been subject to extensive studies and an understanding of the situation relating to pearl mussels and the processes contributing their decline (and that of the River Clun SAC) has improved greatly in recent years. These studies have established that the mussels are in critical decline and unlikely to survive unless the pressures contributing to the deterioration of the SAC are reversed.

Any proposed development in the River Clun Catchment should take into account the requirements as set out in the River Clun SAC Nutrient Management Plan see:

<https://www.gov.uk/government/publications/nutrient-management-plan-river-clun>.

The Conservation Objectives set by Natural England for the River Clun SAC include Favourable Condition Targets (FCTs) for in-river phosphorus (P), nitrogen (N) and sediment (suspended solids)

concentrations. The targets have been set to protect freshwater pearl mussel from the adverse effects of nutrient enrichment and siltation. Due to cumulative and ongoing deposition of atmospheric ammonia and the spreading of poultry waste to land, this development if allowed, has potential to compromise the measures necessary to achieve the Favourable Condition Targets.

The Hydrological Impact Assessment indicates that poultry manure is currently imported (c500 t/yr) and applied to the applicant's landholdings, and suggests the proposed poultry unit will not increase the overall nutrient application to land within the catchment. We are concerned that increasing numbers poultry units in the catchment are generating amounts of Nitrogen-rich poultry waste with little evidence to indicate that such waste is being exported from the Clun Catchment.

If development is allowed it will also compromise efforts to meet Water Framework Directive (WFD) targets for the River Clun. Here, we take issue with the Hydrological Impact Assessment report which claims that the River Clun meets "Good Status" under WFD. In fact it is currently failing to achieve this statutory target and is currently classified as "Moderate".

The conclusions of the Ammonia Report appear to be based on assumptions, and underplay the impact of deposition. We are concerned that this development will add to the cumulative impact of deposited atmospheric ammonia in the catchment and in particular how it impacts on the River Clun SAC and Clunton Coppice SSSI. Studies by Centre for Ecology and Hydrology (CEH) <sup>1</sup> have shown that ammonia deposition derived from poultry units of this size is damaging to ecosystems adapted for low levels of nitrogen and that critical exceedance loads are observed 2.8km upwind. The River Clun SAC and Clunton Coppice SSSI are protected because of their exceptional ecology. Maintaining extremely low nutrients levels is fundamental to ensuring their wellbeing.

In recent years significant financial resources have been directed at the River Clun to help meet statutory targets. Despite these efforts the Clun continues to fail to meet these targets. The River Clun is one of a number of UK freshwater sites under the European Natura 2000 network. In November 2015 these UK freshwater sites were subject to a Judicial Review which found that the UK Government is failing to adequately protect these sites. Subsequently, the High Court issued legally binding Consent Order which requires Environment Agency to review measures and mechanisms for each water-dependant Natura 2000 site - the River Clun is a pilot for the Consent Order.

This development is of concern and should it go ahead it would put in jeopardy the conservation objectives set for returning the River Clun SAC to favourable condition.

The following Natural Environment policies apply:

Policy MD12 Natural Environment (Explanation)

*4.113 Policy MD12 sets out in detail the level of protection offered to Shropshire's natural assets. Natural assets include: biodiversity and geological features; trees, woodlands and hedges in both rural and urban settings; the ways in which the above combine and connect to create locally distinctive and valued landscapes, including the Shropshire Hills Area of Outstanding Natural Beauty and the contribution all of the above make to visual amenity;*

*4.114 Such assets provide ecosystem services including; flood relief; soil retention; climate change mitigation and adaptation; carbon sequestration; interception of airborne pollutants;*

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<sup>1</sup> Jones, L.; Nizam, M.S.; Reynolds, B.; Bareham, S.; Oxley, E.R.B. 2013. Upwind impacts of ammonia from an intensive poultry unit. Environmental Pollution, 180. 221-228

*water filtration; amenity value; health and well-being benefits and opportunities for tourism and recreational activities. These services are essential to a thriving economy;*

*4.115 Internationally and nationally important sites of wildlife conservation and geological interest as well as legally protected habitats and species will be afforded the highest level of protection in line with the relevant legislation and policy. Great weight will also be given to conserving and enhancing the natural beauty of the Shropshire Hills AONB, having regard to the AONB Management Plan. Development proposals affecting or involving the following will be assessed in accordance with the relevant legislation and national policy; European and nationally designated wildlife sites (Special Protection Areas (SPA), Special Areas of Conservation (SAC), Ramsar and Sites of Special Scientific Interest (SSSIs) and all candidate designations; Major developments in Areas of Outstanding Natural Beauty; Ancient woodland, other irreplaceable habitats and aged or veteran trees; Pollution – including noise, water, air and light pollution Further details are given in the Natural Environment SPD;*

The following policies of the Shropshire Hills AONB Management Plan 2014-19 also indicate that this application be refused:

*Valuing the AONB in Planning and Decisions - Protection of the AONB. In line with national and local authority planning policies, the AONB has the highest standards of protection for landscape and natural beauty and the purposes of designation should be given great weight in planning decisions, also taking into account the statutory AONB Management Plan.*

*Encouraging a Sustainable Land Management Economy - Agricultural development. Farm enterprises need to be in harmony with the environment and not degrade this resource, which also provides an important economic asset for the future.*

*Design of new agricultural buildings including location, structure and materials should be of a high standard appropriate to the AONB, taking account of the published AONB agricultural buildings design guidance.*

[http://www.shropshirehillsaonb.co.uk/wpcontent/uploads/2010/10/Agricultural\\_Buildings\\_Design\\_Guide3.pdf](http://www.shropshirehillsaonb.co.uk/wpcontent/uploads/2010/10/Agricultural_Buildings_Design_Guide3.pdf)

Yours sincerely

Phil Holden  
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