

From: [REDACTED]
To: [ES Planning Control \(Environmental Services\);](#)
CC:
Subject: PROPOSED ERECTION OF A 2,500 BREEDING SOW PIG REARING UNIT -
LAND OFF UTTOXETER ROAD FOSTON
Date: Thursday, May 19, 2011 9:53:08 AM
Attachments:

Derbyshire County Council
Development Control
County Offices
Matlock
Derbyshire
DE4 3AG

Our ref: LT/2011/112839/01-L01
Your ref: CW9/0311/174
Date: 06 May 2011

Dear Sir

PROPOSED ERECTION OF A 2,500 BREEDING SOW PIG REARING UNIT
LAND OFF UTTOXETER ROAD FOSTON

Thank you for referring the above application which was received on 13 April 2011.

The Environmental Statement submitted in support of the Planning Application does not address any of these comments. Consequently we OBJECT to the proposed development.

We have reviewed the report 'Environmental Statement – Proposed development of a pig farm operation together with an associated bio digestion facility on land adjacent to Foston Prison' (Fisher German, March 2011) submitted in relation to this planning application. We have the following comments to make which relate solely to the protection of 'Controlled Waters', matters relating to Human Health should be directed to the relevant department of the Local Authority.

Environment Agency position

We OBJECT to the application as submitted because the applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. We recommend that planning permission should be refused on this basis.

Reasons

Government policy as set out in Planning Policy Statement 23 notes the key role that the planning system plays in determining the location of development which may give rise to pollution, either directly or indirectly, and in ensuring that other uses and developments are not, as far as possible, affected by major existing or potential sources of pollution.

Our approach to groundwater protection is set out in our recently revised policy

'Groundwater Protection: Policy and Practice' (2008). In implementing our policy we will oppose development proposals that may pollute groundwater especially where the risks of pollution is high and the groundwater asset is of high value. We also seek to ensure that applicants provide adequate information to demonstrate that the risks posed by development to such groundwater assets can be satisfactorily managed. In this instance the applicant has failed to provide this information.

In this case we consider that the proposed development may pose an unacceptable risk of causing a detrimental impact to groundwater quality because of the underground storage of potentially hazardous pollutants potentially below the water table.

In accordance with the Environment Agency's recently revised groundwater protection policy we will maintain our objection until we receive a satisfactory risk assessment that demonstrates that the risks to groundwater posed by this development can be satisfactorily managed.

Note for the LPA/Applicant

Underground and Potentially Sub-water Table Storage:

The Environmental Statement indicates that pig waste will flow from the piggery to an underground tank 3.5 metres deep, the material is then split into liquids (which go, and remain, above ground) and solids which are digested below ground (the Site Layout Plan indicates digesters are 4 metres deep).

This solid waste will be mixed with co-digestate wastes imported to site – which may be liquid or solid – prior to underground digestion. The process will include further separation of liquids and solids after digestion. Overall this indicates there will be liquid, potentially hazardous pollutants underground and possibly sub-water table.

In response to the Scoping Opinion for the Environmental Impact Assessment we commented (letter to Derbyshire County Council dated 18th February 2011, Our Ref: LT/2011/112464/01-L01, Their Ref: SCOW/9/38):

The Environmental Impact Assessment should include:

- *Information which clarifies the nature of the materials to be stored underground and determines whether the materials are classed as 'hazardous' under the Water Framework Directive.*
- *Information which justifies why there are genuine and overriding reasons why the storage of any hazardous substances must be underground.*
- *Information on the level of the water table at the site in comparison to the base of the proposed underground storage facility. This information should consider seasonal variations and any likely future changes in levels.*
- *Site specific information which clearly shows that the risks to groundwater and water supplies are acceptable as they can be appropriately mitigated.*

The above information is required for the following reasons:

...the site is located on a Secondary (A) Aquifer and includes underground storage of pollutants. Therefore the following policies in Part 4 of our 'Groundwater Protection: Policy and Practice' document are relevant to this proposal:

- *P1-8 Underground storage (planning)*

We will object to the underground storage of hazardous substances in Source Protection Zone 1. On principal and secondary aquifers outside Source Protection Zone 1 we also object, unless there are genuine and overriding reasons why:

- a) the activity cannot take place on unproductive strata, and*
- b) the storage must be underground (for example public safety), in which case we expect the risks to be appropriately mitigated.*

Where such storage already exists we will work with operators to mitigate the risks, with an aim to meet this policy.

- *P1-9 Sub-water table storage (planning)*

We will object to storage of pollutants below the water table in principal or secondary aquifers.

Where such storage already exists or where the water level subsequently rises, we will work with operators to mitigate the risks, with an aim to change to above ground storage.

General Comments

The Environmental Statement indicates that an abstraction from a borehole will be used to pressure test parts of the anaerobic digestion facility. Additionally, although not discussed in the application, it would appear that a significant volume of water will be required to supply the facility.

The applicant should be made aware that an abstraction licence will be required for any abstraction of volumes greater than 20 m³/d. Such a consent is irrespective of any Planning Permission granted and may be withheld. We recommend that the applicant consult the Environment Agency's web-site for information regarding the need, and applying, for an abstraction licence (see: <http://www.environment-agency.gov.uk/business/topics/water/32020.aspx>).

The Environmental Statement indicates that waste and foul water generated in the mess block and the adjacent properties will be disposed of via a package treatment plant with soakaway.

It should be noted that under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into 'Controlled Waters' or the ground. Such a consent is irrespective of any Planning Permission granted and may be withheld. ('Controlled Waters' include rivers, streams, underground waters, reservoirs, estuaries and coastal waters). The applicant should consult the Environment Agency's web-site for information regarding applying for a Discharge Consent (see: <http://www.environment-agency.gov.uk/business/topics/water/32038.aspx>) and if necessary discuss the proposal with the National Permitting Team.

At the time of applying for a Discharge Consent the applicant will have to justify why connection to the public foul sewer is not possible.

For the avoidance of doubt and to assist you in considering other matters at this stage, should the above matter be satisfactorily resolved, we would recommend the following;

Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Revision 2 dated 24 March 2011, undertaken by Waterman Environmental and the following mitigation measures detailed within the FRA:

1. Sections 1.6, 5.4, 5.6 and 5.7, Limiting the surface water run-off generated by all events up to the 100 year (1% chance in any one year) critical rain storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Sections 1.6, 5.4, 5.6 and 5.7, Provision of sufficient surface water run-off storage attenuation to accommodate the difference between the allowable discharge rate and all events up to the 100 year (1% chance in any one year) critical rain storm.
3. Section 4.18 Finished floor levels are set no lower than 61.00m above Ordnance Datum (AOD). However the Environment Agency recommend a minimum finished floor level of 61.50m AOD, based on the worst case 100 year flood event level applicable at the site.

Reasons

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future occupants.

Condition

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

Limiting the surface water run-off generated by all events up to the 100 year (1% chance in any one year) critical rain storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

Provision of sufficient surface water run-off storage attenuation to accommodate the difference between the allowable discharge rate and all events up to the 100 year (1% chance in any one year) critical rain storm. In accordance with the SUDs management train detailed within CIRIA document C697 the SUDs Manual.

Details of how the scheme shall be maintained and managed after completion.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

Permit Requirements

The site will require a permit to cover intensive pig production, anaerobic digestion, waste acceptance and treatment and land spreading of waste materials for agricultural benefit.

No activity can take place on site until such a permit is in place.

The proposed installation as planned would be viewed as a baseline for emissions.

Local views will be sought as part of the permitting process and given the extreme proximity of some receptor dwellings the proposed mitigation measures for noise, vibration, odour and light will need to be reviewed and updated as time goes on in line with technological advances to meet public expectations.

In our response to the scoping request we flagged up that more information would need to be provided about 'the borehole'. 'The borehole' is mentioned in 4.60 of the ES but with no more detail than was in the scoping document.

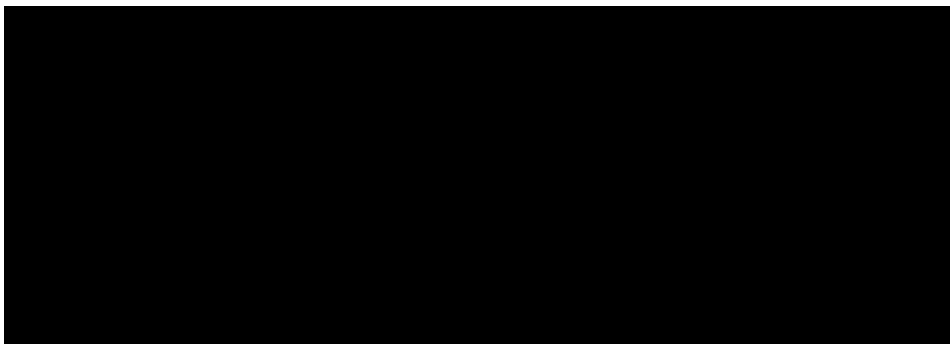
If more than 20 cubic metres per day is abstracted from 'the borehole' then an abstraction licence will be required. This quantity is a daily maximum not an average. There is no guarantee that a licence could be granted. The statutory procedures for obtaining a licence can be quite lengthy.

Abstraction without the requisite licence is an offence.

We also note that dewatering may be required during construction. Dewatering is currently exempt from the requirement for an abstraction licence. This exemption is due to be removed in 2012 but the timetable will be decided by Defra. Once the exemption is removed, abstraction licences will be required for dewatering works if more than 20 cubic metres/day will be abstracted.

The Agency needs to compile reports to meet DEFRA high level targets and consequently a copy of the required decision notice should be forwarded following determination of the application.

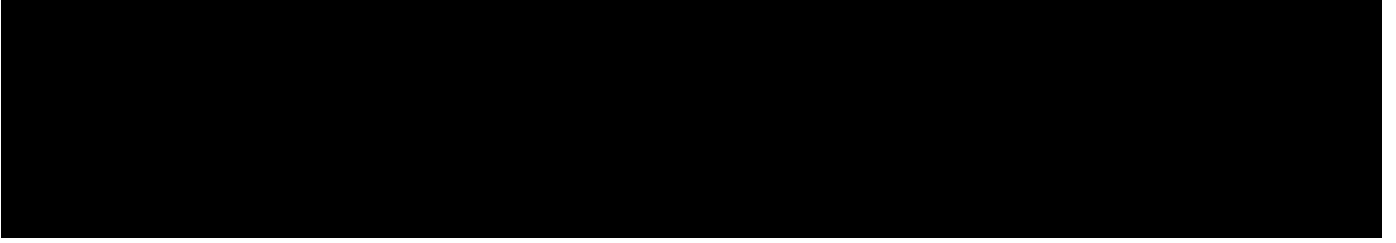
Yours faithfully



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We have checked this email and its attachments for viruses. But you should still check any attachment before opening it.

We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes.



Planning Application Comment Form Response:

Date:

20/04/2011 11:14:16

Application code No:

CW9/0311/174

The individual understands that this correspondence will be placed on the Council's website and wishes us to include their name and address.

Thank you for allowing me to comment on the above development. In this instance we do not object to the development as proposed. However, we must emphasize the following; - Western Power Distribution has Network within close proximity to this site. - For advice and support on locating our equipment and safe working around our network, contact CableSafe on 0800 015 0927 or see <http://eon-uk.com/distribution/safety.aspx> for more information. We must emphasise that any alteration, building or ground works proposed in the vicinity of our network that may or may not directly affect our cables, must be notified in detail to Western Power Distribution.

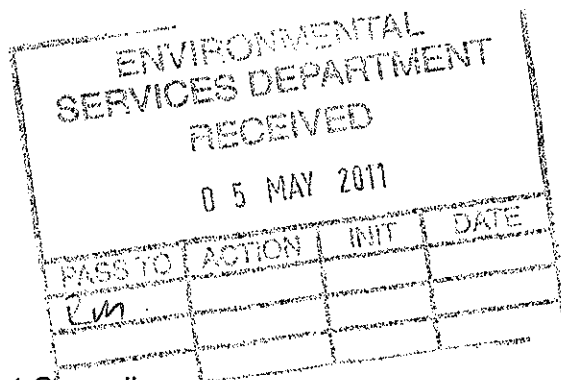
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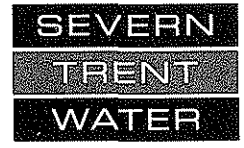
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How would you like to be informed of further progress on this application? Please indicate your preferred choice below:

Letter Telephone email



South Derbyshire District Council,
Civic Offices,
Civic Way,
Swadlincote,
Derbyshire,
DE11 0AH



SEVERN TRENT WATER Ltd
Asset Protection
Waste Water - East
Leicester Water Centre
Gorse Hill
Leicester LE7 7GU

Tel: 0116 234 3834
Fax: 0116 234 3035

Contact: Michael Shapland
Direct Line: 0116 2343255

Your Ref: 9.1563.5
Our Ref: ASB0076

For the attention of Ian Stephenson

19 April 2011

Dear Sirs

**Re: Application No. 9.1563.5
Land off Uttoxeter Road Foston Derbys**

With reference to the above planning application the company's observations regarding sewerage are as follows.

I confirm that Severn Trent Water Limited has no objection to the proposal subject to the inclusion of the following;

Condition 1

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

SEVERN
TRENT
WATER



14/04/2011

Mr I Stephenson,
DCC - Environmental Services Department
Shand House
Dale Road South
Matlock
Derbyshire
DE4 3RY

Mr Stephenson,

Re: Application: CW9/0311/174-Midland Pig Producers Ltd

With regards to the above planning application, it was resolved by the Parish Council that they strongly object to the application on the below grounds:

General concerns that this is an agricultural and industrial application, there are different effects associated both with the pig farm and the anaerobic digestion facility. The "green credentials" of this proposal rely on pig manure from the unit being combined with other organic waste to power a generator which will sell electricity to the national grid. Given the amount of organic waste material likely to be imported into the site for this purpose, this part of the development could effectively be considered as a waste transfer station, in other words an industrial operation.

Whilst the application suggests that there is unlikely to be any air pollution by way of smells associated with the pig farm, there is concern that this may not be the case. Councillors considered that it's not just the smells from the pig farm but also the smells from the vehicular movement of waste into the site and for the purposes of the anaerobic digestion facility.

The noise pollution from all applications on the site is a concern. These include but are not limited to, the noise from the site operating on a 24 hours basis, vehicle noise of incoming and outgoing vehicles, generators and plant noise and other general operating noise that would be associated with both an agricultural and industrial operation.

Concern that the lighting from the site would be overbearing to local residents and vehicles from the view of the A50.

If there should happen to be any disease outbreak and DEFRA (or the equivalent of) felt the need to impose an exclusion zone around the site, there is the concern as to how this would affect local roads, this would cause issues within the radius of the exclusion zone, possibly limiting the movements of local residents and the possibly of affecting the A50 traffic movements. Similarly should there be any waste accidents or spillage the adjacent watercourse could become contaminated.

The buildings detailed in the plan are alien to the environment on a green field site. The concern is that the landscaping will not provide cover and the buildings effect the view from the west side of Foston Hall (an English Heritage building). The visual affect on the landscape are also to be considered as the site and buildings will be visible from as far away as Hanbury. It is the Parish Councils opinion that the buildings are overbearing on the local community, especially for the residents who's properties are along either side of the proposed site.

Although specific details of HGV numbers visiting and/or generated by the proposed development are not apparent in the accompanying documentary support for the application, the Parish Council suspects that the majority of inward loaded HGV's will be carrying waste material for the anaerobic facility and will not have anything directly to do with the pig breeding operation. It is said that there will be a total of 25,000 pigs on site at any one time and so there will be a steady flow of HGV's delivering feedstuffs, not to mention transporting pigs away for slaughter.

The application form only mentions parking for 21 employee cars and no mention at all of traffic generation details. Parking of HGV's within the site, together with the number intended to be based there permanently is again not adequately addressed by the application. When one considers that large amounts of waste from a large radius will need to be brought by road to Foston to make the electricity generation element viable, it is the Parish Council's assertion that the "green credentials" of the proposal are nullified by the many HGV journeys required to deliver waste material to the site.

Obviously access will be by left in, left out off the A50 and so all departing vehicles heading east will have to go west to Sudbury island (A511) before coming back along the eastbound carriageway. The junction in question is located on the inside of a long lefthand sweep of the A50 and so visibility, whilst probably acceptable in theory, is less than desirable for drivers emerging from the site. Many local residents say that the deceleration and acceleration lanes are too short for intensive use by HGV's. The Parish Council sympathises with this view and can foresee real problems for A50 traffic caused by slow vehicles, especially HGV's, entering a high speed traffic flow. Furthermore those vehicles intending to transfer to the eastbound carriageway have only a comparatively short distance to get up to speed and cross into the fast lane ready to do a u-turn at Sudbury island. Considering that traffic has at this point had an unimpeded twenty mile run from the M1, the Parish Council confidently predicts many accidents and near misses occurring on this stretch, not to mention an increase in accidents at the A50/A515/Aston Lane (Sudbury) island.

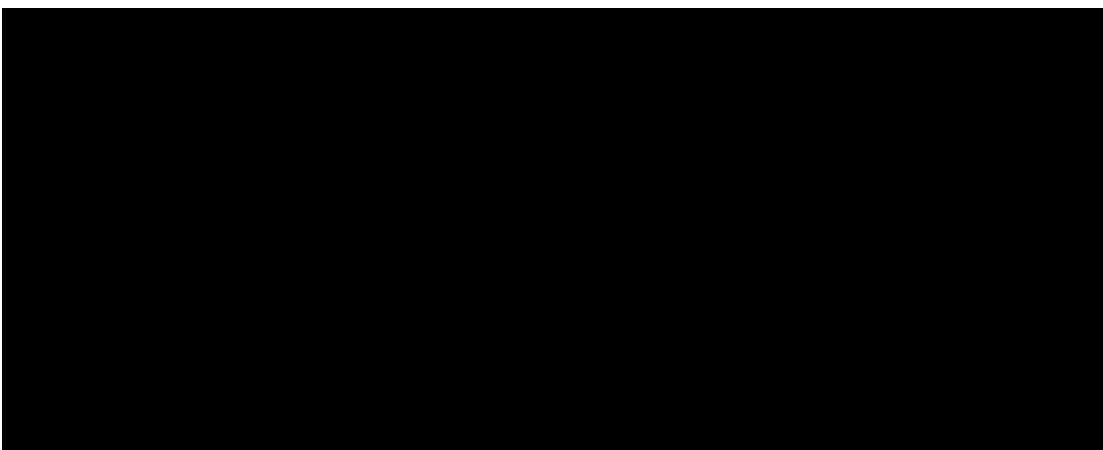
It is noted from the supporting documentation that the applicants have already agreed to pay for improvements to Sudbury island, but these are not specified and so the Parish Council remains sceptical about the implications for road safety on the A50 if this development is permitted.

It is noted by the Parish Council that section 106 money should be made available for improving services/facilities for benefit of residents of Foston & Scropton, as well as improving a road that the highways agency is responsible for.

It should not be overlooked that Uttoxeter Road already serves a closed prison and several private houses. The original junction layout proved inadequate to deal safely with the traffic generated by these properties and had to be improved in recent years. This traffic comprises mostly private cars, LGV's and the occasional HGV. It is the resident's contention, supported by the Parish Council, that the proposed development would result in a step change in the number and types of vehicles using this junction to the detriment of road safety, not to mention the constant noise caused by the braking and gear changing of HGV's as the enter or leave the junction.

The application has not demonstrated, in the opinion of the Parish Council and residents, that the additional traffic generated by the proposed development will not result in increased danger not only for ALL traffic using the junction, but also through traffic using this high speed, high volume road connecting the M1 and M6. There will inevitably be significant disturbance to residents caused by additional vehicle noise over and above that generated by the A50. Furthermore, the necessary continuous importation of additional waste material to make electricity generation viable, at the very least puts the "green credentials" of the development in considerable doubt.

Please advise the date of the planning and Control Committee meeting, in order for me to make Parish Councillors aware.



FAO Planning Control
Derbyshire County Council
Environmental Services Department
Shand House
Dale Road South
Derbyshire
DE4 3RY

Our Ref: CW9/0311/174

Your Ref: 9.1563.5

19 May 2011

Dear Sir/Madam,

CONSULTATION FROM DERBYSHIRE COUNTY COUNCIL IN CONNECTION WITH PROPOSED ERECTION OF A 2,500 BREEDING SOW PIG REARING UNIT, ASSOCIATED ANAEROBIC DIGESTION FACILITY ETC, AT LAND OFF UTTOXETER ROAD, FOSTON. APPLICATION CODE NO: CW9/0311/174

I refer to your letter dated 8 April 2011 and write to confirm the observations of the County Council as Mineral and Waste Planning Authority in relation to the above application.

I note that my earlier comments on the scoping study for the Environmental Statement supporting this application have been reflected in the final version of that document. Staffordshire County Council has no additional comments to make with regard to the mineral and waste implications of the proposed development.

Under the powers delegated from the Corporate Director (Development Services) this letter confirms that the County Council, acting as the Waste and Minerals Planning Authority, has **NO OBJECTION** to the proposed erection of a 2,500 breeding sow pig rearing unit, associated anaerobic digestion facility etc, at land off Uttoxeter Road, Foston



ENVIRONMENTAL SERVICES DEPARTMENT

23 MAY 2011

PROPOSED	ACTION	DATE
Rm		



**CHURCH BROUGHTON
PARISH COUNCIL**

12th May 2011

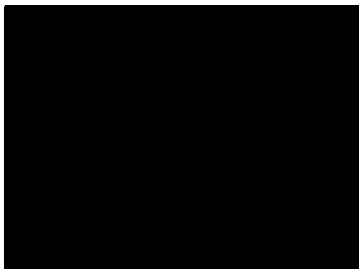
Planning Control
Derbyshire County Council
Environmental Services
Shand House
Dale Road South
Matlock
Derby
DE4 3RY

Dear Sir or Madam

Application code: CW9/0311/174

Proposed erection of a 2,500 breeding sow pig rearing unit with grain store, feed mill, feed hoppers, mess block, water treatment buildings together with storage buildings feeding an associated anaerobic digestion facility, service building, digestate and methane gas storage tanks supplying an electricity generation facility and incorporating a visitor centre, 4 agricultural workers dwellings with garaging, strategic landscaping, including the formation of bunds, a surface water attenuation pond, and rainwater retention area with site parking facilities, weighbridges, security fencing and associated infrastructure, land off Uttoxeter Road, Foston for Midland Pig Producers.

Thank you for informing the Parish Council of the above planning application and after due consideration Councillors have no direct objections but would request limitations of similar developments in the nearby vicinity..



From: [REDACTED]

To: [ES Planning Control \(Environmental Services\);](#)

CC:

Subject: FW: Application CW9/0311/174 Midland Pig Producers Ltd

Date: Thursday, June 02, 2011 4:45:13 PM

Attachments:

[REDACTED]

To: Stephenson, Ian (Environmental Services)

Subject: Application CW9/0311/174 Midland Pig Producers Ltd

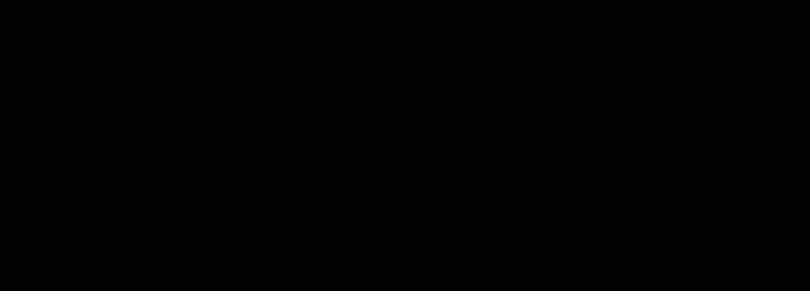
Dear Mr Stephenson

I wish to register my objection to the above application in support of the residents of Foston and Scropton. The grounds for objection are as follows:

1. "Green credentials rely on a substantial amount of waste being brought into the site.
2. Increased HGV movements to and from the site.
3. Odours from the site. Potential infestation of flies. MPP cannot guarantee 100% that there will be no smells emanating from the site.
4. Noise pollution, from 24 hour operation, lorry movements and general plant noise.
5. In my opinion there has been no consideration given to the impact on the village of Foston and Scropton and surrounding community.
6. Concern over type of waste materials to be brought on site which may include turkey waste. Residents are already experiencing problems with another factory site transporting turkey waste which has been reported several times to the Environment Agency.

I would also wish to speak at the planning committee meeting.

Yours sincerely



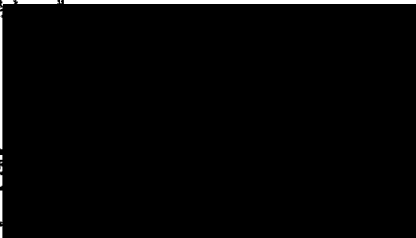


ENGLISH HERITAGE
EAST MIDLANDS REGION

Mr Ian Stephenson
Derbyshire County Council
Shand House
Dale Road South
Matlock
Derbyshire
DE4 3RY

ENVIRONMENTAL SERVICES DEPARTMENT RECEIVED
03 JUN 2011

PASS TO	ACTION	INIT	DATE
<i>ISM</i>			



1 June 2011

Dear Mr Stephenson

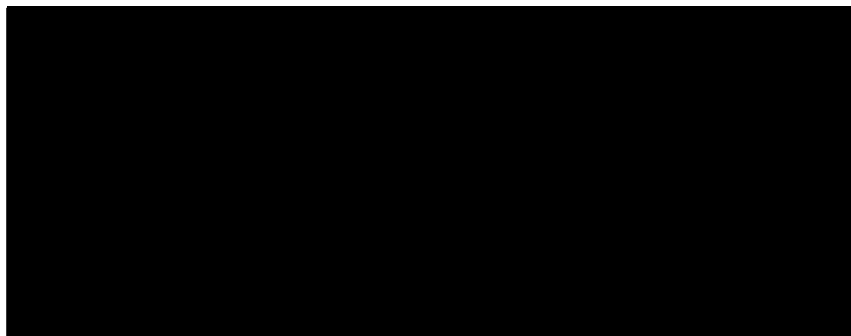
Planning (Listed Buildings and Conservation Areas) Act 1990
Environment/DCMS Circular 01/2001
Town and Country Planning (General Development Procedure) Order 1995

LAND OFF UTTOXETER ROAD, FOSTON, DERBYSHIRE
Application No CW9/0311/174

Thank you for your letter of 27 May 2011 notifying English Heritage of the application for listed building consent/planning permission relating to the above site. On the basis of the information provided, **we do not consider that it is necessary for this application to be notified to English Heritage** under the relevant statutory provisions, details of which are enclosed.

If you consider that this application does fall within one of the relevant categories, or if there are other reasons for seeking the advice of English Heritage, we would be grateful if you could explain your request. Please do not hesitate to telephone me if you would like to discuss this application or the notification procedures in general.

We will retain the application for four weeks from the date of this letter. Thereafter we will dispose of the papers if we do not hear from you.



44 DERNGATE, NORTHAMPTON, NN1 1UH

Telephone 01604 735 400 Facsimile 01604 735 401
www.english-heritage.org.uk

English Heritage is subject to the Freedom of Information Act. All information held by the organisation will be accessible in response to a Freedom of Information request, unless one of the exemptions in the Act applies.



ENGLISH HERITAGE
EAST MIDLANDS REGION

Enclosure: List of applications requiring notification to English Heritage

APPLICATIONS REQUIRING NOTIFICATION TO ENGLISH HERITAGE

English Heritage must be notified of the following **planning applications** (by virtue of s.67(3) and (4) and 73(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the direction in paragraph 8 of DETR & DCMS Circular 1-01 Arrangements for Handling Applications - Notification and Directions by the Secretary of State - except where indicated otherwise):

(a) development which in the opinion of the local planning authority affects the setting of a grade I or II* listed building; or (b) development which in the opinion of the local planning authority affects the character or appearance of a conservation area and which involves: (i) the erection of a new building or the extension of an existing building where the area of land in respect of which the application is made is more than 1,000 square metres; (ii) the material change of use of any building where the area of land in respect of which the application is made is more than 1,000 square metres; or (iii) the construction of any building more than 20 metres in height above ground level.

(c) development likely to affect any grade I or grade II* historic park or garden (Article 10(1)(o) of the Town and Country Planning (General Development Procedure) Order 1995); (d) development likely to affect the site of a scheduled monument (Article 10(1)(n) of the Town and Country Planning (General Development Procedure) Order 1995).

In addition paragraph 11 of Circular 01/01 advises that "it would be helpful if authorities would also send English Heritage details of applications for planning permission for development likely to involve the demolition of the whole or part of, or the material alteration of, a grade I or II* building (including ecclesiastical buildings shown in the list as grade A, B or C)".

English Heritage must be notified of the following **listed building consent applications** (by virtue of s.15 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the direction in paragraph 15 of DETR & DCMS Circular 1/01 Arrangements for Handling Applications - Notification and Directions by the Secretary of State - except where indicated otherwise:

(a) for works in respect of any grade I or II* listed building; (b) for works for the demolition of a principal grade II (unstarred) listed building; (c) for works for the alteration of any grade II (unstarred) listed building which comprise or include: (i) the demolition of a principal external wall of the principal building*; or (ii) the demolition of



44 DERNGATE, NORTHAMPTON, NN1 1UH

Telephone 01604 735 400 Facsimile 01604 735 401

www.english-heritage.org.uk

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ENGLISH HERITAGE
EAST MIDLANDS REGION

all or a substantial part of the interior of the principal building*.

* For these purposes: (a) a proposal to retain less than 50 per cent of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plane, including the vertical plane of any roof) shall be treated as a proposal for the demolition of a principal external wall;
(b) a proposal to demolish any principal internal element of the structure including any staircase, load-bearing wall, floor structure or roof structure shall be treated as a proposal for the demolition of a substantial part of the interior.

English Heritage, November 2003



44 DERNGATE, NORTHAMPTON, NN1 1UH

Telephone 01604 735 400 Facsimile 01604 735 401
www.english-heritage.org.uk

English Heritage is subject to the Freedom of Information Act. All information held by the organisation will be accessible in response to a Freedom of Information request, unless one of the exemptions in the Act applies.

From: [REDACTED]
To: [ES Planning Control \(Environmental Services\);](#)
CC:
Subject: CW9/0311/174 , Pig farming adjacent to Foston Prison
Date: Monday, June 06, 2011 1:38:50 PM
Attachments:

I can confirm that there are no objections to the granting of planning permission from DCC as Highway Authority for the section of Uttoxeter Road between the site access and the A50, subject to conditions to the following effect –

1. Before any other operations are commenced, a scheme shall be submitted to the Local Planning Authority for written approval indicating the proposed temporary means of construction access, site accommodation, storage of plant and materials, and areas for parking and manoeuvring of site operatives and visitors vehicles and loading, unloading and manoeuvring of goods vehicles.

2. Before any other operations are commenced, excluding demolition and site clearance, the access and on-site facilities the subject of condition 1 above shall be laid out and constructed in accordance with the approved scheme and retained throughout the construction period free from any impediment to their designated use.

3. Throughout the period of construction vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall

have their wheels cleaned before leaving the site in order to prevent the deposition of mud or other extraneous material on the public highway.

4. Prior to the development being taken into use a new access shall be created to Uttoxeter Road in accordance with the application drawings. Thereafter it shall, unless otherwise agreed in writing by the Local Planning Authority, be retained as the sole means of access to the site.

5. Unless otherwise agreed in writing by the Local Planning Authority there shall be no gates within 30m of the highway boundary at the Uttoxeter Road access.

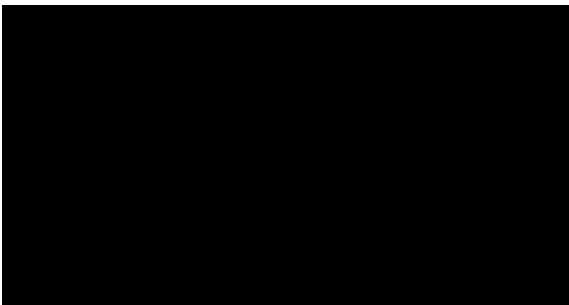
6. The development shall not be taken into use until the associated roadways, parking and manoeuvring facilities have been constructed in accordance with the approved plans and thereafter those facilities shall be retained free of any impediment to their designated use.

Notes –

(i) Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 12 weeks prior notification should be given to the Environmental Services Department of Derbyshire County Council on 01629538595 before any works commence on the vehicular access within highway limits.

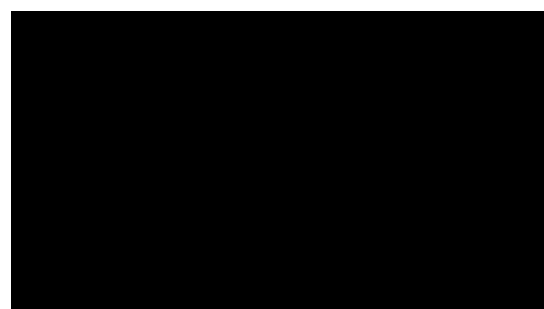
(ii) Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

Regards



Our ref: K183317
Your ref: CW9/0311/174

Ian Stephenson
Derbyshire County Council
Shand House, Dale Road South
Matlock
Derbyshire
DE4 3RY



3 May 2011

Dear Mr Stephenson

A50 Land off Uttoxeter Road, Foston, Derbyshire

I am in receipt of a planning application received by the Highways Agency in Birmingham on 11th April 2011, regarding the proposed erection of a 25,000 pig breeding unit at the above location.

Following extensive discussions in 2009 the issues associated with the proposed development identified and mitigation agreed at pre application stage. I am therefore in a position to provide a substantive response to this application.

The initial point of access from the development onto the A50 is considered acceptable. However, the proposals will inevitably generate an impact on the A50/A515 Sudbury Roundabout, which is congested at peak times. Therefore shift patterns at the proposed development must be arranged so as to minimise the impact of the development, and a proportionate contribution to the holistic junction improvement agreed at the conjoined South Derbyshire Housing Sites Public Inquiry.

I would therefore confirm that while the principle of the development remains acceptable to the Highways Agency, the proposals as they stand have the potential to generate unacceptable impacts on the Strategic Road Network as described above. Therefore, if your council is minded to grant permission for this application, please ensure that the following conditions are attached to the decision notice.

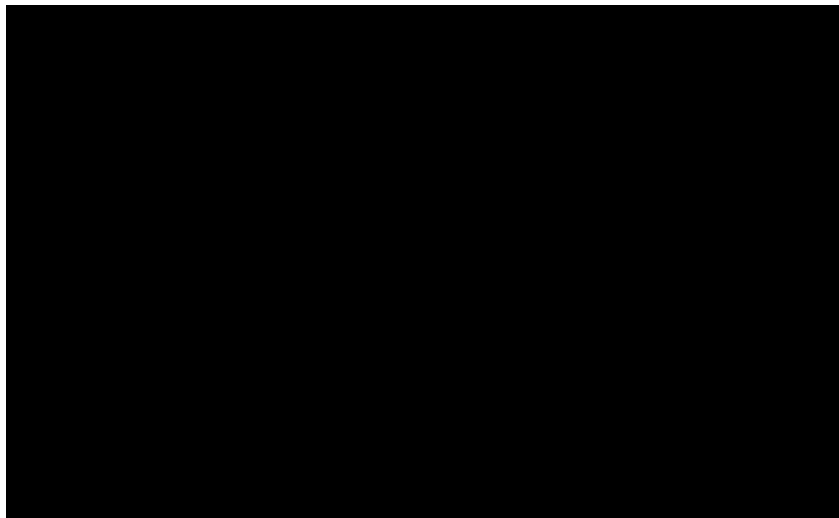
Condition:

Weekday shifts shall commence at 07.00 for off site staff, and shall last for a period of 8 or 9 hours, unless in exceptional circumstances.

Reason for the above conditions:

To ensure that the A50 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site in the interests of road safety.

I note from the Environmental Statement submitted with the application that the agreed contribution to works at the A50 Sudbury junction is expected to be secured under an appropriate Agreement. Should this term not be included in the Agreement I would be grateful for further consultation on this application.



TR110 (October 2010)

**Developments Affecting Trunk Roads and Special Roads
Highways Agency Response to an Application for Planning Permission**

To: Derbyshire County Council

Council's Reference: CW9/0311/174

Referring to the notification of a planning application dated 11th April 2011, your reference CW9/0311/174, in connection with the A50 Trunk Road, Land off Uttoxeter Road, Foston, Derbyshire, notice is hereby given under the Town and Country Planning (Development Management Procedure) Order 2010 that the Secretary of State for Transport:-

- ~~a) offers no objection;~~
- ~~b) advises that planning permission should either be refused, or granted only subject to conditions~~
- c) directs conditions to be attached to any planning permission which may be granted;
- ~~d) directs that planning permission is not granted for an indefinite period of time;~~
- ~~e) directs that planning permission not be granted for a specified period (see Annex A).~~

(delete as appropriate)

Condition:

Weekday shifts shall commence at 07.00 for off site staff, and shall last for a period of 8 or 9 hours, unless in exceptional circumstances.

Reason for the above condition:

To ensure that the A50 Trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from lighting within the site and drainage issues arising from the onsite bund, in the interests of road safety.



Derbyshire County Council
Planning & Environment
Shand House,
Dale Road South
Matlock,
DE4 3RY

16th August 2011

Health Protection Agency

**Centre for Radiation,
Chemical and
Environmental Hazards**

Health Protection Agency
Institute of Population Health
Nottingham City Hospital
Hucknall Road
Nottingham
NG5 1PB

Tel +44 (0)8442 254524
Fax +44 (0)115 9692667
www.hpa.org.uk

Dear Sir / Madam,

Re: Midland Pig Producers, Uttoxeter Road, Foston, Derbyshire
Application number: CW9/0311/174

The Health Protection Agency (HPA) received the above application and supporting supplementary information for comments on 21 July 2011.

Introduction

Midland Pig Producers have applied for planning permission for the construction and operation of a 2,500 breeding sow pig rearing unit (equating to approximately 25,000 pigs on site) and associated infrastructure, including:

- anaerobic digestion plant (ADP), associated tanks and infrastructure;
- combined heat and power plant (CHP) - comprising three generators capable of producing 2MW of electricity; three gas holders; an emergency gas flare and a 3m exhaust stack;
- water treatment buildings;
- a surface water attenuation pond and a rainwater retention area.

It is proposed that the ADP will process approximately 35,000 tonnes of pig slurry and 45,000 tonnes of organic matter per year including food and other imported organic wastes. It is proposed that the resulting bio-fertiliser will be used on local agricultural land. Heat and electricity produced by the CHP will be used on the farm, with any excess energy being added to the National Grid.

As well as planning permission, the proposed operation (including pig production; anaerobic digestion; waste acceptance and treatment; and land spreading activities) will

also require permitting by the Environment Agency (EA) under the Environmental Permitting (England and Wales) Regulations 2010. The installation will not be able to operate without such a permit, the conditions of which will be enforced by the Environment Agency.

As part of the Environmental Permit determination process, the Regulator will consult with a number of consultees including Primary Care Trusts (PCTs), because of their local and specialist knowledge. The HPA supports PCTs in fulfilling their responsibilities as consultees within the Environmental Permitting regime and will comment in detail on the permit application at the permitting stage.

The applicant states that pre-application discussions have been held with the Environment Agency in order to satisfy the Environmental Permitting Regulations.

Proximity to receptors

It is proposed that the site will be developed on arable agricultural land, directly to the west of Foston Prison. The proposed site location is within an area of mixed agricultural and residential land uses, and is closely located to a number of small settlements, the nearest being Foston; the outskirts of which lie approximately 150m to the north east of the site.

The closest residential properties are those which lie adjacent to the proposed eastern boundary of the site, on Woodland Drive; and those at Maidensley Farm, which lies adjacent to the proposed western site boundary. The applicant also proposes to develop four two storey staff houses adjacent to the existing residential properties on Woodland Drive.

The site is bounded by woodlands to the south and the A50 lies approximately 50m to the north of the site.

Emissions

The application is subject to the Environmental Impact Assessment (EIA) Directive and includes an Environmental Statement.

Emissions to Air

The application does not include consideration of emissions to air from the proposed CHP plant.

The applicant has not quantified any of the site's emissions to air through screening or modelling.

Ammonia

Ammonia gas can be emitted from livestock, manure and slurry. It has the potential to adversely affect human health, for example by causing odour or respiratory irritation. Levels of ammonia decrease rapidly as they are dispersed in ambient air; however, levels at source should be minimised as much as is reasonably possible.

Monitoring of ammonia emissions may be required by the EA as part of the Environmental Permit application for the site. The Environment Agency has set Environmental Assessment Levels (EALs) for the protection of human health; these levels are derived from the Health and Safety Executive's Workplace Exposure Limits (WELs).

The EA will require proper construction and operation of farm buildings, appropriate management of manure and slurry, and management of protein levels in feed / feeding cycles, in order to minimise ammonia emissions, and to ensure that Environmental Assessment Levels (EALs), set for the protection of human health, are not exceeded.

The application does not include detailed consideration of potential ammonia emissions or modelling for ammonia emissions.

Bioaerosols

Bioaerosols are airborne particles that contain living organisms, fragments, toxins, and their particulate waste products. Depending on their composition; they can be inhaled or ingested by humans and animals. Possible health effects include infectious diseases, acute toxic effects, allergies, cancer, respiratory symptoms and lung function impairment¹. It is likely that the distribution of bioaerosols from intensive farming sites will be dependant on environmental circumstances such as topography, weather conditions and variable background concentrations.

The HPA considers that there is significant potential for the generation of bioaerosols at intensive farming installations; however limited direct evidence is currently available of levels of bioaerosol emission specifically from intensive farming processes.

Research has recently been undertaken by the Health and Safety Executive (HSE) and the Department for Environment Food and Rural Affairs (DEFRA) into bioaerosol emissions from waste treatment and composting processes². This research indicated that workers close to composting facilities may be exposed to high levels of bioaerosols. However, 84%+ of analysed bioaerosol concentrations at 50m upwind of site operations were considered to be within the range of 'typical' background levels and although bioaerosol levels downwind were at times higher than upwind levels (even at 100m to 250m distance), at least 93% could be considered to be within the range of 'typical' background levels.

The review undertaken by DEFRA found that background levels of exposure to bioaerosols are hugely variable with time and location and there are significant non-waste sources including agricultural activities and natural emissions. The studies also indicated that exposure levels vary within individual parts of the industry, suggesting that there is potential to reduce exposure, and hence risk of health effects, through good practice.

¹ Douwes, J., P. Thorne, et al. (2003) Review of Bioaerosol Health Effects and Exposure Assessment: Progress and Prospects Ann. occup. Hyg., 47(3): 187-200.

² Searl, A (2008) Exposure-response relationships for bioaerosol emissions from waste treatment processes, DEFRA Project: WR0606; Bowry, A, et al. (2010) Bioaerosol emissions from waste composting and the potential for workers exposure, HSE Research Report RR786: I - VI.

With consideration to the results of this research the Environment Agency (EA) requires that applications for composting facilities will need to undertake a site specific bioaerosol risk assessment if there is a workplace or dwelling within 250m of the site boundary.

Recent research³ has found that those living up to 150m downwind of an intensive swine farming installation could be at risk of adverse human health effects associated with exposure to multi-drug resistant organisms.

It is anticipated that further evidence on the potential of installations to result in bioaerosol emissions, and of the potential health effects of these emissions on nearby communities, will become available over the next few years. This is a research area for both the EA and the HPA.

The application does not include detailed discussion or risk assessment of potential for emissions of bioaerosols.

Particulate Matter

Agriculture in the UK is acknowledged as a significant source of PM₁₀ (particulates with a diameter of less than or equal to 10µm) with the estimated contribution ranging from 5% to 15%^{4,5,6}. Sources of PM₁₀ within the intensive farming industry include feed delivery, storage and transport; dusty wastes and vehicle movements. Many studies have demonstrated a causal relationship between ambient PM₁₀ levels and hospital admissions for both respiratory and cardiac diseases and mortality. Particularly vulnerable receptors include older persons (> 65 years) and, for respiratory illness, children.

The operator will be required by the EA to use Best Available Techniques (BAT) to minimise the amount of dust released. It is anticipated that further evidence on the potential for intensive farming industries to result in PM₁₀ emissions will become available over the next few years.

The application does not include detailed discussion of potential emissions of particulate matter or proposed mitigation measures.

Nuisance Issues

Intensive farming sites are known to occasionally present odour and noise problems.

The operator will be required to maintain and implement odour and noise management plans as a standard EA condition of all intensive farming Environmental Permits.

³ Shawn G. Gibbs, Christopher F. Green, et al. (2006) Isolation of Antibiotic-Resistant Bacteria from the Air Plume Downwind of a Swine Confined or Concentrated Feeding Operation, Environmental Health Perspectives: 14(7): 1032-1037.

⁴ MAFF research report, WA 0802 (2000) Atmospheric emissions of particulates from agriculture: a scoping study.

⁵ Takai, H. et al. J. agric. Engng (1998) Concentrations and Emissions of Airborne Dust in Livestock Buildings in Northern Europe: Res. 70: 59-77.

⁶ DEFRA (2007) The Air Quality Strategy for England, Scotland, Wales and Northern Ireland.

Odour Emissions

The applicant has undertaken an odour impact assessment using the AERMOD model. The applicant has categorised the odour criterion [benchmark] for the site as 3 OU_E/m³ (odour units) for moderately offensive odours, based upon the site being an intensive farming operation. However, we recommend that further consideration be given to the guidance contained in the EA's Horizontal Guidance document 'H4 Odour Management'. It may be more appropriate to use a benchmark of 1.5 OU_E/m³, which is for most offensive odours, particularly given that the proposals include an anaerobic digestion plant, which is proposed to process food residues, animal wastes and animal by-products. The EA, as the Regulator for a site of this nature, may have further comments in relation to the appropriate benchmark odour unit for the site.

The applicant states that odour and ammonia will be mitigated by the use of a 'Big Dutchman MagixX' odour control system, through which air extracted from the pig processing buildings will pass through a three stage abatement process, which includes biofiltration. The EA will need to satisfy itself that this is BAT.

A detailed Odour Management Plan (OMP) will be required as part of the Environmental Permitting application process. The EA will require that appropriate modelling of odour be undertaken and the OMP will need to describe, in detail, actions to be taken to minimise and monitor odour emissions.

Summary of Public Health Impact

The application does not provide detailed analysis and risk assessment of potential point source and fugitive emissions to air, of: odour; particulate matter; ammonia; bioaerosols; or emissions from the proposed CHP plant.

Detailed consideration of these emissions will be required as part of the Environmental Permit application for the site, and will enable the HPA to comment on the potential for risk to health. Since this information has not been included within the Environmental Impact Assessment, we are not able to provide any further comment, as there is insufficient information upon which to base an opinion.

We will provide detailed comments to the EA when the Permit application is submitted. The installation will not be able to operate without such a permit, the conditions of which will be enforced by the EA.

Please do not hesitate to contact me should you require more information.

Yours sincerely,

Sent: 17 August 2011 11:16

To:

Subject: Foston

Hi,

Response as discussed. Please note that in addition to previous comments, Natural England would expect any development that has a potential to affect high quality agricultural land to be accompanied by a full assessment of the soil resource present, impacts and mitigation measures, to include both the handling and protection of soils during construction, and also the long term use of the soil resource.

<<21377 CW9_0311_1742500breeding sow unit Uttoxeter Rd adj Foston Prison RH.pdf>>

Please do come back to me if you need anything further.

Regards,

Land Use Operations Team

Natural England

Endcliffe

Deepdale Business Park

Ashford Road

Bakewell

Derbyshire

DE45 1GT

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Date: 24th May 2011
Our ref:
Your ref: CW9/0311/174



Planning Control
Derbyshire County Council
County Hall
Matlock
Derbyshire

Endcliffe
Deepdale Business Park
Ashford Road
Bakewell
Derbyshire
DE45 1GT

T: 0300 060 2343
F: 0300 0602204

Dear Planning Control

EIA development - Erection of a 2,500 breeding sow pig rearing unit with grain store, feed mill, feed hoppers, mess block, water treatment buildings together with storage buildings feeding an associated anaerobic digestion facility, service building, digestate and methane gas storage tanks supplying an electricity generation facility and incorporating a visitor centre, 4 agriculture workers dwellings with garaging, strategic landscaping, including the formation of bunds, a surface water attenuation pond, and rainwater retention area with site parking facilities, weighbridges, security fencing and associated infrastructure.

Land off Uttoxeter Road, Adjacent to Foston Prison, Foston, South Derbyshire

Thank you for consulting Natural England on the planning application above and its associated Environmental Statement. Natural England welcomes the opportunity to comment, and comments made are provided in accordance with Natural England's remit. Natural England is working to deliver the following four strategic outcomes:

- A healthy natural environment: England's natural environment will be conserved and enhanced.
- Enjoyment of the natural environment: more people enjoying, understanding and acting to improve, the natural environment, more often.
- Sustainable use of the natural environment: the use and management of the natural environment is more sustainable.
- A secure environmental future: decisions which collectively secure the future of the natural environment.

It should be noted that Natural England supports low intensity, traditional farming methods that in turn have significant biodiversity and landscape benefits. However, for the benefit of the wider reader it should be noted that it is not within Natural England's remit to provide

Natural England
Head Office
1 East Parade
Sheffield S1 2ET

comments in the nature of the development proposed, and comments provided relate to potential impacts upon, and opportunities for, the natural environment and not the nature of the development itself.

Trees and Hedges

The ES includes a Tree Assessment Report (Revision A, March 2011, FPCR). Natural England notes that the only trees proposed for removal are those that are in poor health or do not make a positive contribution to the treescape. Proposals for retention and enhancement, and tree surgery, on the retained trees is welcomed, particularly in relation to tree groups considered to be remnants of ancient semi natural woodland and/or remnants of Foston Hall Parkland. Additional planting in these areas is welcomed, but must species and planting schemes must be sensitively chosen and designed to retain the historic, landscape and ecological value of the existing tree groups. It should be noted that for the purposes of vegetation cutting or removal, the bird nesting season should be taken to be March to September inclusive, not August as stated at paragraph 4.4 of the report. Checking of vegetation prior to removal in the nesting season must a fully justified last resort. Natural England would expect the Council to ensure that vegetation cutting and removal takes place between October and February only. Proposed protection measures are supported. Providing that the proposals remain as described in the report (with the exception of the bird nesting season reference), Natural England does not have any further concerns with regard to trees on site. The new tree planting should reflect local character, and EMEC Ecology has made a number of good recommendations with regard to new tree planting in their ecological report. New planting should include native black poplar in appropriate locations, as this species is noted in the wider area. Native black poplar should only be sourced from reputable sellers, and it is advised that their local provenance is paramount. Further details should be supplied as part of the detailed landscaping scheme.

The hedgerow assessment by EMEC Ecology notes that the hedgerows on site do not qualify as 'important' hedgerows under the Hedgerow Regulations 1997. They do however offer valuable biodiversity habitat, and the fact that the only hedgerow loss proposed is for access, and therefore a loss of less than 10m, is welcomed. The EMEC report makes good recommendations for hedgerow planting and gapping up, and new hedgerows should be no more than 50 to 60% hawthorn, to enable a more diverse hedge. Natural England fully supports EMEC's recommendation for locally sourced plants for the native hedgerows. Elsewhere in the ES a less divers hedgerow planting mix is proposed, but it is advised that the EMEC recommendations are those that are supported by Natural England.

Air Quality

It is noted that the Air Quality Chapter is essentially relating to the Odour Impact Assessment. The ES does not consider the potential for air borne pollutants to affect local, national or international wildlife sites in the wider area. If air borne contaminants are not anticipated as a result of the development, this chapter should include reference to this, with a justification for conclusions drawn. If the proposal could result in any air borne pollutants, their impacts on the natural environment should be assessed.

Ground Contamination

Natural England welcomes the inclusion of a ground contamination assessment in the ES, particularly in relation to the construction and operational phases of the development. The potential for significant contamination of ground and surface water from the pig slurry is noted, and raises potential concerns with regard to the adequate protection of the natural environment from pig slurry contamination.

The ES includes a brief reference to a water treatment building and reedbed, the latter being subject to Environment Agency Approval. The ES then advises that the matter of pollution risks during the operational phase, issues will be dealt with as part of the Environmental Permit for the site. Whilst Natural England accepts that the consideration of the permit will include the issue of slurry contamination of the natural environment, further information on the proposed systems should be included. In particular, proposals for the maintenance of such systems, and emergency back-up procedures should be described. The close proximity of a potential wildlife site on the southern perimeter, along with a number of ditches and water bodies in the wider area, warrants further information within the ES on this issue, to enable the Council to determine the application having given full consideration to biodiversity impacts.

The inclusion of a SUDS system is fully supported, and the use of a foul water private treatment plant with soak away for the dwellings is noted, but contamination issues should be fully taken into account and referred to within the ES.

Ecology

The inclusion of an 'Ecological Walk-over Survey' (EMEC Ecology, March 2011) is welcomed. The survey sets out comprehensive initial scoping work for ecological assessment, including a desk study and walk over survey. The survey, and ecological chapter in the ES, make it clear that the recommendations for further survey work will be carried out this year, and that they have already been commissioned. This is welcomed, and it is important to reiterate that all ecological survey work must be provided to support the application before it can be determined, in accordance with wildlife legislation and policy. Comments provided at this stage are therefore on the initial scoping work only, on the assumption that the additional work will be submitted in due course to inform the determination of the application.

The survey work undertaken to date adheres to standard methodologies. Although the quality of the work indicates a good level of competency in the ecological surveyor, details of the surveyor should be included in ecological survey work to support planning applications, to give certainty that the work has been undertaken by suitably qualified and experienced surveyors. It is anticipated that this can be included in the further reports to be submitted.

Natural England welcomes the breadth of the desk study, which includes consultation with relevant wildlife groups. The ecological walk over survey included a check for habitat suitability for an appropriate range of species. It is noted however that the walkover survey was undertaken outside the optimal survey season, in January of this year. The need for further botanical survey work should be considered by the ecological consultants in any specific areas of habitat interest.

The Evaluation, section 5 of the report, and Mitigation, Compensation and Further Survey, section 6 of the report, are both welcomed, and present a number of very positive proposals for ecological mitigation and site enhancement, in addition to recommendations for further survey work. It is noted that recommendations will be embellished following the further survey work.

Designated sites – Natural England supports the recommendation for specific protection and buffering of the potential woodland wildlife site to the south of the development site.

Habitats – Natural England welcomes the suggestions for habitat protection, for mature trees, the ditch and southern woodland. Measures to protect existing hedges should also be added to the tree protection proposals.

Amphibians - The assessment of waterbodies for their potential to support great crested newts and other amphibians is welcomed, although a formal Habitat Suitability Index has not been undertaken. However, it is noted that a great crested newt survey will be undertaken, and it is assumed that this is now well underway in order to meet standard survey guidelines. Attempts should be made to gain permission to check the pond within the prison grounds, or as a minimum, current photographs obtained if at all possible.

Bats - The assessment of trees for their potential to support roosting bats is also particularly welcomed, and it is noted that the ecological consultants have highlighted the need for further survey work on trees with bat roosting potential, which is strongly supported. Surveys should be spread within the survey season, and not all compressed into the start of the active season. Surveys into at least June would be beneficial in addition to May. A lighting scheme, to minimise lighting in the vicinity of boundary hedges and trees should be requested as a planning condition.

Birds – further bird survey work is welcomed, particularly given the current biological records for a number of species of biodiversity interest in the area. Mitigation proposals should have regard to the species recorded, along with the existing records, in order to develop a suitable mitigation scheme. As discussed in relation to trees and hedges, the Council should ensure that vegetation cutting and removal only takes place outside the nesting season (with the bird nesting season being March to September inclusive).

Badgers – It is noted that no evidence of badger activity was found. However, a pre-site clearance repeat survey should be undertaken to be certain that this species will not be affected.

Ecological enhancement – the proposal has the potential for considerable ecological enhancement, which is locally characteristic and targeting local species. Some excellent recommendations have already been suggested by EMEC Ecology in their report, and it is advised that a more comprehensive mitigation and enhancement scheme to be built into the development should be presented alongside, and informed by, the further survey work. The ditch line to the west could be a particular focus for enhancement, for example. A requirement for an ecological management plan, to ensure the appropriate long term management and monitoring of existing and new habitats on site should form part of a planning condition, but overall recommendations should form part of the further survey reports.

Landscape

The inclusion of a landscape and visual assessment within the ES is welcomed (FPCR March 2011). Standard methodologies and best practice have been adhered to, and the attention given to local landscape character and the impacts of the development on historic landscapes is welcomed. The opportunities for landscape enhancement, reflecting local character and wider historic landscapes should be fully incorporated into the landscaping and biodiversity proposals.

Natural England strongly supports the proposals for advance planting to enable all structural landscaping to be in place and establishing prior to the construction of the build development elements of the proposal. This will also be beneficial to the biodiversity mitigation that may be required.

Conclusions Regarding Further Information Required

In conclusion it is advised that further information is required with regard to air borne pollution, or an explanation of why air borne pollution is not an issue for this proposal, with regard to ground contamination, particularly from slurry and the anaerobic digestion processes. Further ecological survey work is commissioned, and should form part of the planning application, and should inform a comprehensive ecological mitigation and enhancement scheme to support the development proposal. Natural England therefore advises that our final comments and recommendations are reserved until the further information is available for consideration.

If there are any further queries or need for clarification on any issues, please do contact me again. I look forward to assisting you further once additional information is provided.

Yours sincerely

Land Use Operations Team
Natural England

From: [Contact Centre \(Chief Executives\)](#)
To: [ES Planning Control \(Environmental Services\)](#)
CC:
Subject: FW: Derbyshire/CW9/0311/174/Erection of a pig rearing unit at Land off Uttoxeter Road, Foston
Date: Wednesday, September 14, 2011 3:54:28 PM
Attachments:

From:
Sent: 14 September 2011 15:28
To: Contact Centre (Chief Executives)
Subject: Derbyshire/CW9/0311/174/Erection of a pig rearing unit at Land off Uttoxeter Road, Foston

FAO – Planning Team
Ref – CW9/0311/174
Proposal – Erection of a pig rearing unit
Location – Land off Uttoxeter Road, Foston

Thank you for your letter of 22/08/2011 providing Network Rail with an opportunity to comment on the abovementioned application.

In relation to the above application I can confirm that Network Rail has no observations to make.

Network Rail

Please send all Notifications and Consultations to townplanning.lne@networkrail.co.uk or by post to Network Rail, Town Planning, Floor 1B, George Stephenson House, Toft Green, York. YO1 6JT

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Network Rail Infrastructure Limited registered in England and Wales No. 2904587, registered office Kings Place, 90 York Way London N1 9AG
