

Application No: 11/0506N

Location: CROWTON FARM, WINSFORD ROAD, CHOLMONDESTON, CW7 4DR

Proposal: The Erection of Poultry House and Feed Hopper with Hardstanding

Applicant: Mr I Hocknell, Delphic Haulage

Expiry Date: 20-May-2011

Ward: Cholmondeley

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Principle of Development;
- Design
- Residential Amenity;
- Ecology;
- Highways; and
- Drainage

REFERRAL

This application is included on the agenda of the Development Control Committee as the proposed floor area of the building exceeds 1000m² and it therefore constitutes a major proposal.

DESCRIPTION OF SITE AND CONTEXT

The application site is part of a generally level field situated on the west side of Winsford Road, between Cholmondeston and the Shropshire Union Canal. There is already a large poultry shed on site, which was approved under application reference P09/0170. In addition, there are two ponds located centrally within the field and a number of trees. The field is demarcated by good boundary hedgerows with a number of established hedgerow trees in places. Former farm outbuildings at Field House Farm to the east and Dairy House Farm to the west are now converted to dwellings. The site is located in open countryside in the Borough of Crewe and Nantwich Replacement Local Plan.

DETAILS OF PROPOSAL

The site of the proposed poultry unit lies to the west side of the field. The development includes the erection of a large poultry shed measuring approximately 91m long by 26.7m wide and standing 6.6m high to the ridge of the roof. The hopper will be 2.8m in diameter and

will be positioned adjacent to the existing hopper on site and will stand 7.5m to the top, from ground level.

RELEVANT HISTORY

P09/0170 - Erection of Poultry House with access off Winsford Road. Standing/ Turning Area and Feed Hopper – Approved – 24th April 2009

POLICIES

The relevant development plan policies are:

Local Plan Policy

BE.1 Amenity
BE.2 Design
BE.3 Access and Parking
BE.4 Drainage Utilities and Resources
NE.2 Open Countryside
NE.5 Nature Conservation and Habitats
NE.9 Protected Species.
NE.13 Rural Diversification
NE.14 Agricultural Buildings Requiring Planning Permission
NE.17 Pollution Control

Other Material Considerations

PPS1: Delivering Sustainable Development
PPS7: Sustainable Development in Rural Areas
PPS 9: Biodiversity and Geological Conservation
PPG 13: Transport

CONSIDERATIONS (External to Planning)

Ecology: Do not anticipate there being any reasonable likely ecological issues associated with the proposed development.

Highways: The development will generate only a negligible amount of additional traffic which is insufficient to cause any need for highway provisional requirements.

Environmental Health: No objections subject to conditions relating to hours of construction, the lighting to be provided in accordance with the submitted information, the poultry house to kept on a deep litter system, removal of waste, hours of delivery and the ridge fans should be installed and maintained in accordance with manufacturers instructions

VIEWS OF THE PARISH / TOWN COUNCIL

No comments received at the time of writing this report

OTHER REPRESENTATIONS

No representations received at the time of writing this report

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement (Prepared by Ludlam Associates dated February 2011)

- The applicants are the owners of Crowton Farm, suppliers of fertile hatching eggs to CK Wood which are used for making vaccines. CK Wood presently imports eggs from France. They are hoping to source eggs from local suppliers in order to reduce transport costs and enable monitoring of production and quality;
- The proposal is to construct an additional unit alongside the existing poultry house. the building is almost identical in its construction and shares servicing and access road;
- The proposed poultry house has a typical modern rural design for such types of agricultural buildings. It is clearly intended for a rural use and would not be suitable for conversion to dwellings;
- It would be of a size and height appropriate to its use. The building would measure 3.3m high to the eaves and 6.6m to the top of the ridge. 15 ventilation shafts would be positioned along the ridge and would be approximately 0.7m in height. The additional feed hopper would be sited next to the existing hopper minimising its appearance;
- The building would be sited alongside the existing unit, approximately 160m back from Wettenhall Road and it would be at least 210m from the nearest residential properties;
- The development would be positioned behind an established hedgerow and trees which will provide some natural landscaping and screening from the road;
- The materials are Plastisol coated steel panels. In terms of colour the elevations are in country green and the roof is Moorland Green to match the existing unit;
- The poultry house would be accessed by the existing road and gate onto Wettenhall Road;
- The number of additional vehicles visiting the site would be minimal. One additional staff car would be generated by the egg collections;
- A clear visibility of over 180m from the access onto Wettenhall Road is shown on the accompanying plans;
- Acoustic performance is vital to the design of the building. Standby power is provided by an auto start generator in an acoustic box which is 70db at 7m and therefore cannot be heard from off the site;
- Ventilation is provided by ridge fans and is fully automatic and computer controlled to create a constant internal temperature of 20 degrees. The fans are very quiet and cannot be heard from off the site. This type of deep litter housing does not create odour due to the low moisture content and deters flies;
- The cleaning and stocking of poultry houses takes place annually and takes two days. Both units will be emptied at the same time in order to minimise potential disease risk. The manure is collected directly from the site by local farmers and is used as fertiliser. This sustainable practice of recycling a valuable bi-product of the farm minimises the environmental impact of waste from the proposal;
- The applicants are highly experienced and they have been running similar farming operations successfully for a number of years.

Lighting Diagram (Produced by Cooper Lighting and Safety dated January 2010)

Protected Species Survey (Produced by Biota)

- Ponds within 250m of the proposed site for chicken rearing units at Crowton Farm were assessed for their likelihood to support Great Crested Newts. The ponds were not considered suitable as breeding habitat for Great Crested Newts, however due to the season in which the survey was undertaken reasonable avoidance measures are proposed.

OFFICER APPRAISAL

Principle of Development

The site is located in open countryside where policy NE.2 of the Borough of Crewe and Nantwich Replacement Local Plan allows for essential development for the purposes of agriculture. The keeping of livestock falls within the definition of agriculture as given in section 336 of the Town and Country Planning Act 1990 (as amended). The fact that the eggs to be produced are required for the pharmaceutical industry is not considered to remove the use from the definition of agriculture which includes the keeping of animals for fur and skins. Policy NE.14 allows for new agricultural buildings subject to a number of requirements one of which is that required for and is ancillary to the use of the land for agriculture.

The applicants currently have a poultry unit on site (approved under P09/0170) and further units at The Pinfold, Poole (approximately 2 miles from this site) where eggs are produced for the pharmaceutical industry. However the pharmaceutical industry require large scale units and there is no further land available for expansion at that site (The Pinfold). The fact that there may be other poultry farms in the area where this building could be sited is not a reason to refuse this application. The issue is whether the proposed poultry unit meets policy requirements for agricultural buildings and is acceptable on this site. Policy NE.2 and guidance in PPS7 allow for agricultural developments in rural areas. PPS7 notes that planning policies should support development which allows agriculture to adapt to new and changing markets and diversify into new agricultural opportunities. Therefore there are no objections in principle to the proposed use at this site.

Design

The building is similar in design, scale and mass to the existing unit on site which was permitted under reference P09/0170. The proposed poultry unit will measure approximately 91m long by 26.7m wide (which equates to a floor area of approximately 2429.7m sq) and is 3m high to the eaves and 6.6m high to the ridge (excluding the ventilators). Although large in area, the design of the unit is typical of a modern poultry unit. Located on the gable are two personnel doors, whilst on the opposing gable are two larger doors. Whilst the hopper will stand above the ridge of the roof, the neighbouring unit has a similar sized hopper and there are other hoppers at farms in the locality. The building is sited some 200m from dwellings at Field House Court to the east and 230m from dwellings at Dairy House Farm to the west of the application site. A hedgerow to the west of the site of the proposed poultry unit will provide screening to eaves level when viewed from the west. The pond and group of mature oak trees to the south east of the site of the poultry unit provides some screening when viewed from Winsford Road and the barn conversions at Fields House Farm. The building is sited

immediately adjacent to the existing poultry shed and will be seen against this back drop. It is not considered that the development will adversely impact on the character and appearance of this area of open countryside and the proposal is in accordance with Policy BE.2 (Design Standards).

Residential Amenity

The unit will be managed in the same way as the existing poultry unit on site. The birds will be housed in 'deep litter' with a ventilation system which does not attract flies or result in odour problems. In the event that any flies were present daily inspection and collection of eggs will allow for any isolated flies to be treated with an insecticide. Following consideration of the details and on the basis of knowledge of the existing operation, the Environmental Health Officer has raised no objections to the development subject to a number of conditions. The ventilation system will not generate noise (and will be conditioned if planning permission is to be approved) which would adversely affect residential amenities bearing in mind the location of the dwelling relative to the site. The nearest dwellings are over 200m away and with the above controls, the proposed poultry units would not adversely impact on residential amenities in the locality, in respect of noise and odour. The poultry houses are emptied of manure once a year when the poultry are changed. It is understood that this operation is to be completed in 2-3 days and the manure spread on fields in the locality and will be conditioned accordingly.

As part of the application the applicant has submitted an external lighting scheme. It is considered given the separation distances and degree of luminance the proposed lighting will not have a detrimental impact on the residential amenity or the character and appearance of the open countryside. Colleagues in Health Environmental have been consulted and raised no objections to the proposed lighting. However, a condition stating that the proposed lighting scheme shall be completed in accordance with the submitted information.

Ecology

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a requirement on Local Planning Authorities (“LPAs”) to have regard to the Directive’s requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. “This may potentially justify a refusal of planning permission.”

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species “Where granting planning permission would result in significant harm [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.”

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to “refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

It was noted that there was a couple of ponds within 250m of the proposed development and as such the proposal could have a detrimental impact on Great Crested Newts. Therefore, the applicant has submitted a Protected Species Survey to accompany the application. However, it is noted that the survey was undertaken outside optimal season for such work. In any event, the conclusions of the report state that the ponds are considered unlikely to support Great Crested Newts. Pond 1 contains fish and supports small number of wintering wildfowl, the water quality is poor and no aquatic invertebrates were noted when the pond was examined. Pond 2 supported a small number of wildfowl and like Pond 1, was isolated in the middle of the arable field. Neither pond contained any suitable vegetation that Great Crested Newts could utilize for egg laying. The HSI score for both ponds are less than that for ponds normally associated with Great Crested Newts. The Councils Ecologist has been consulted and he concludes ‘I do not anticipate there being any reasonable likely ecological issues associated with the proposed development’. Consequently, the proposed development accords with policy NE.9 (Protected Species).

Highways

The application site will be served by the existing access arrangement, which were approved under P09/0170. This new enlarged vehicular access to the site had been installed at the time of the site visit. It is considered that there is sufficient on site parking and turning for vehicles, which will allow them to enter/leave in a forward gear and to be parked clear of the public highway. According to the applicants Design and Access Statement there will only be one additional staff car when the eggs are being collected. Colleagues in Highways have been

consulted and they conclude that the proposal 'will generate only a negligible amount of additional traffic which is insufficient to cause any need for highway provisional requirements'. Therefore, it is considered that the proposal accords with Policy BE.3 (Access and Parking).

Drainage

Development on sites such as this generally reduces the permeability of at least part of the site and changes the site's response to rainfall. Planning Policy Statement 25 (Development and Flood Risk) states that in order to satisfactorily manage flood risk in new development, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development. It is possible to condition the submission of a drainage scheme in order to ensure that any surface water run-off generated by the development is appropriately discharged.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed poultry house will provide an agricultural building of appropriate size and design for the proposed use. The development by virtue of its location set back from the highway and from residential properties in the locality will not adversely impact on the character and appearance of the area or residential amenities. The proposal will generate negligible amounts of additional traffic and the existing vehicular access and turning area is sufficient and the development will not adversely impact on highway safety. The two ponds on the site are not considered to provide suitable habitats for Great Crested Newts. The development is considered to comply with policies NE.2 (Open countryside), NE.9 (Protected Species), NE.14 (Agricultural Buildings Requiring Planning Permission), BE.1 (Amenity), BE.2 (Design), BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Approve subject to the following conditions:

- 1. Standard Time Limit**
- 2. Plan References**
- 3. Materials**
- 4. Drainage**
- 5. Landscaping Submitted**
- 6. Landscaping Implemented**
- 7. Development to comply with Reasonable Avoidance Measures of Great Crested Newts Assessment**
- 8. Hours of Construction**
- 9. External Lighting**
- 10. Method for the Control of Flies**
- 11. Treatment of Manure from Site**
- 12. Hours of Operation**
- 13. The Auto Start Generator and Ridge Fans to be Installed and Maintained in accordance with Manufacturers Instructions**



The Site