

Planning Reference No:	P09/0170
Application Address:	Crowton Farm, Winsford Road, Cholmondeston
Proposal:	Erection of Poultry House with access off Winsford Road. Standing/ Turning Area and Feed Hopper.
Applicant:	Delphic
Application Type:	Full Planning Application
Grid Reference:	363318 358344
Ward:	Cholmondeley
Earliest Determination Date:	21 st April 2009
Expiry Dated:	24 th April 2009
Date of Officer's Site Visit:	31 st March 2009
Date Report Prepared:	31 st March 2009
Constraints:	Open Countryside

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

Impact of the proposed development on

- the character and appearance of the open countryside due to its size and location;
- residential amenities due to the location of the building and odour;
- protected species due to the presence of ponds on the site;
- highway safety due to the formation of a new vehicular access and additional traffic generated by the development.

1. REASON FOR REFERRAL

The application is one which would normally be determined under delegated powers by the former Crewe and Nantwich Borough Council and by Cheshire East Council however the application has been called to committee by Councillor Bailey.

2. 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 are two ponds located centrally within the field, which has 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.

3. DETAILS OF PROPOSAL

The site of the proposed poultry unit lies to the west side of the field. The existing access will be modified by the removal of a section of hedgerow to enlarge the access and a 6m wide access track will be created from the road to the new poultry unit.

The development includes a poultry unit with an egg store room, a staff room, toilets and office. The building excluding the staff facilities and egg room, will measure 91m x 26m standing 6.6m to the ridge of the roof. The staff facilities and egg store will each measure 7.5m wide and project 6m from the front elevation of the poultry unit. The hopper will be 2.8m in diameter and positioned on the southern side elevation and stand 7.5m to the top, from ground level.

4. RELEVANT HISTORY

None

5. POLICIES

The development plan for this area includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

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.

6. CONSULTATIONS (External to Planning)

Highways: Views awaited at the time of writing this report.

Environmental Health: No objection subject to conditions for the control of flies as proposed in the additional information and details of the method of noise insulation of the stand by generator to be submitted and approved before development commences.

Natural England: Notes that the survey was undertaken outside the optimum time for Great Crested Newts but concur with the general findings that the ponds are unlikely to support them. Asks for conditions for Reasonable Avoidance Measures to be put in place including any trenches to be backfilled on the day of excavation or covered overnight with sheet materials and edges sealed to prevent amphibians entering and also for sand aggregate etc to be stored in bags on the site not loose.

DEFRA: Do not propose to make any recommendation.

7. VIEWS OF THE PARISH / TOWN COUNCIL

Views awaited at the time of writing this report.

8. OTHER REPRESENTATIONS

Three letters of objection from residents at Swallow Barn, 2 Field House Court, and Field House Farm, Winsford Road, Cholmondeston and Venetian Marina Village, Cholmondeston. The planning grounds of objection can be summarised as follows:-

- It is not clear whether the unit is required for egg production or poultry use;
- No details of the number of poultry to be housed or details of how waste will be disposed of;
- Conflict with policy;
- There are nearby existing and disused poultry farms which would be a more suitable location;
- The poultry unit is not appropriate in a residential / cattle farming area;
- For large vehicles to pass on Winsford Road one has to move onto the soft grass verge;
- As a result the tarmac road is in poor condition and the edges of the carriageway are breaking down;
- The development will cause flooding and the road is often impassable at the marina to the south of the application area;
- Residential properties are less than 200m away and this will cause concern regarding odour, the storage and disposal of poultry manure, litter, increase in vermin and flies, noise and light pollution.
- Increased risk of theft and vandalism;
- No details about emergency planning in the event of avian flu. If avian flu occurred then an exclusion zone could affect other businesses in the area and the flu could be transported further due to boats travelling on the nearby canal;
- Planning permission was granted less than 3 years ago for conversion of farm buildings to dwellings and to allow a new agricultural use would not be consistent with that decision;
- No details of vehicle movements;
- Would restrictions be imposed regarding lorries entering the site. It is understood that the applicant owns the haulage business at The Pinfold;
- Devaluation of residents' property;
- Land is poorly drained and the provision of additional hardstandings will lead to further deterioration in drainage and potential for flooding;
- Crowton Farm does not exist but is merely a name which been applied to the site. There is no existing farm on the site.

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement (Prepared by Ludlam Associates date February 2009).

The main points are :-

- The proposed building is a typical agricultural design and would not be suitable for conversion to a dwelling;
- The building is sited at least 160m from Winsford Road and 200 m from residential properties;
- A group of trees located around the northern pond will provide screening between the new building and the road;
- Materials would be Plastisol coated steel in a country green;
- The development includes a 6m wide access track and hardstanding with vehicle parking at the eastern end of the development which will allow vehicles to park and turn;
- A septic tank included in the application will be provided for foul waste from the building and surface water run off.

Protected Species Survey: (Prepared by Biota and dated December 2007)

The main points are :-

There are two ponds within the field for the proposed development;

- The ponds are considered to be unlikely to support Great Crested Newts because Pond 1 (northern pond) contains fish and has poor water quality and no aquatic invertebrates;

Pond 2 had a small number of wild fowl;

- Neither pond contained suitable vegetation which Great Crested Newts might use for egg laying;
- The development is unlikely to affect Great Crested Newts but it is recommended that Reasonable Avoidance Measures are taken which are to ensure that trenches are excavated and backfilled in the same day or covered overnight and to ensure that loose aggregates and materials, delivered in relation to the development, are stored in bags not loose.

Additional Information Submitted on Behalf of the Applicant

- The poultry house will be managed in the same way as those at The Pinfold;
- Birds will be kept on "deep litter" with a Hydor ventilation system which does not attract flies;
- If flies are present they will be treated with an insecticide at the time of daily egg collections;
- A standby generator will be required in case of power failure. Once the known model is known suitable noise attenuation details will be provided;
- An electric auger from the hopper will supply feed to the poultry house and this and the ventilation system will not be heard outside the site boundary;
- Vehicle movements will be two staff cars arriving in the morning and departing in the afternoon, a feed lorry each week and one lorry twice a week to collect eggs;
- Manure will be removed annually by tractors and trailers and delivered to neighbouring farms for spreading on the fields. The process will take 2-3 days and the manure does not have a high enough moisture content to attract fly larvae.

10. 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. Whilst the building is required for agriculture it is not ancillary to the existing agricultural use of the land.

The applicants currently have poultry units where eggs are produced for the pharmaceutical industry at The Pinfold at Poole, approximately 2 miles from this site. However the pharmaceutical industry require large scale units and there is no further land available for expansion at that site. 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. Whilst there are no existing buildings on this site, and Crowton Farm is not an existing farming establishment, the use is related to another unit in the general location. Therefore there are no objections in principle to the proposed use at this site.

Design

The building is the same as the poultry unit permitted at The Pinfold in 2008 under reference P07/1152. Although large in area, the design of the unit is typical of a modern poultry unit. Whilst the hopper will stand above the ridge of the roof, 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 immediately to the east of the site of the poultry unit provide some screening when viewed from Winsford Road and the barn conversions at Fields House Farm. A condition for a landscaping scheme can require additional tree planting in hedgerows around the site which will provide added benefits for wildlife and also for screening. Although not sited adjacent to other buildings, it is not considered that the development will adversely impact on the character and appearance of this area of open countryside.

There are no lighting details shown on the submitted drawings. A condition can be added to any permission for details to be submitted for approval and no further lighting to be provided without the prior submission and approval of a planning application. This will ensure that any lighting is restricted to that which is essential and is provided in a manner which does not result in excessive light pollution to the rural area.

Residential Amenity

The unit will be managed in the same way as the existing poultry units at The Pinfold. 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 at The Pinfold, the Environmental Health Officer has raised no objections to the development subject to a condition for the use of the agreed control method for flies. The ventilation system will not generate noise which would adversely affect residential amenities bearing in the mind the location of the dwellings relative to the site. In addition details of the stand-by generator must be submitted and approved to ensure that adequate noise attenuation measures are included to ensure no nuisance to local residents from that source. 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. The views of the Environmental Health in relation to the treatment of manure are awaited.

Ecology

Natural England notes that the survey work was completed outside the optimal season for survey work but bearing in mind the findings of the report and the fact that Reasonable Avoidance Measures are proposed, it does not object to the application. A condition can be attached to any permission for the Reasonable Avoidance measures to be implemented. Bearing in mind the Authority’s duty regarding the enhancement of biodiversity and habitats it is recommended that a condition be imposed on any permission for a scheme to be submitted for measures to improve the habitats at the two ponds within the site.

Highway Matters

It is proposed to form a new enlarged vehicular access on the site of the existing access. Visibility in both directions from this access is in excess of 200m in both directions. Vehicle movements will include three per week, one to deliver feed and two to collect eggs. In addition two members of staff will visit the site once a day. The views of the Highway Authority are awaited. Whilst the existing verges do show signs of wear and tear with broken edges to the carriage way and damaged grass verges, the amount of traffic generated by the development is not considered sufficient to justify refusal of the application.

The proposal includes on site parking and turning for the vehicles which will use the site.

11. OTHER MATTERS

The development will be served by a septic tank and soakaway system which will accommodate run off and foul drainage from the development. However the overall area of the site at 5,950 sq m is relatively small compared to the area of the field at 79,940 sq m. It is not therefore considered that the surface water run off from the development will significantly affect surface water drainage conditions.

The concerns about avian flu are not a planning matter to be considered in the determination of the application.

12. CONCLUSIONS

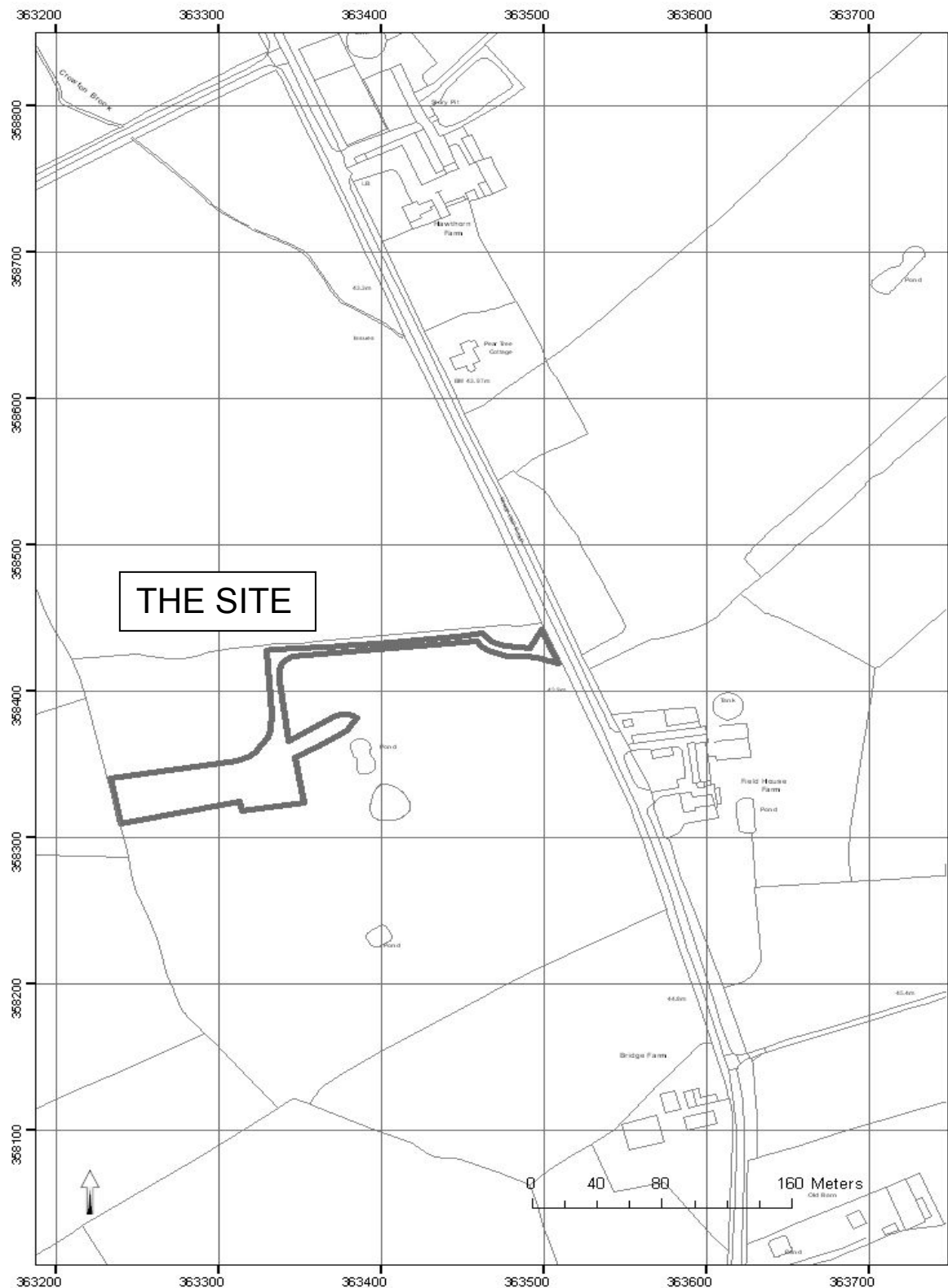
The proposed poultry house will provide an agricultural building of appropriate size and design for the proposed use. The development by virtue of its location set back from the highway and from residential properties in the locality will not adversely impact on the character and appearance of the area or residential amenities. A new vehicular access is proposed and parking and turning will be provided within the site therefore 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.

13. RECOMMENDATIONS

APPROVE subject to the following conditions

- 1. Standard Time**
- 2. Materials**
- 3. Plans**
- 4. Drainage to be provided in accordance with the submitted details**
- 5. Landscaping scheme for gapping up hedgerows, tree planting in hedgerows, provision of hedgerows at new access**
- 6. Implementation and maintenance of landscaping**
- 7. Formation of access**
- 8. Development to comply with Reasonable Avoidance Measures of Great Crested newt Assessment dated December 2007**
- 9. Scheme for enhancement of biodiversity of the two ponds**
- 10. Details of the proposed generator and noise attenuation**
- 11. Details of lighting to be submitted for approval and no further lighting without the prior submission and approval of a planning application**
- 12. Method for control of flies**
- 13. Treatment of manure from the site**

LOCATION PLAN:



P09/0170 – Crowton Farm Winsford Road Cholmondeston
N.G.R; - 363.337 358.481

Reproduced from the Ordnance Survey Map with the permission of HMSO.

© Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to legal or civil proceedings.

Cheshire East Council licence no. 100049045.

Not to Scale