

Application No: 14/3102N

Location: OAK FARM, HEATLEY LANE, BROOMHALL, CHESHIRE, CW5 8AH

Proposal: Erection of a free range egg unit and associated feed bins, hardstandings and access road.

Applicant: Andrew Hollins

Expiry Date: 26-Sep-2014

SUMMARY RECOMMENDATION

Approve

MAIN ISSUES

- Principle of Development;
- Design of the Building and impact on Openness;
- Residential Amenity;
- Highways Access and Servicing.

REASON FOR REFERRAL

The application is to be determined by Southern Planning Committee as it represents a Major application as defined within the scheme of delegation.

DESCRIPTION OF SITE AND CONTEXT

The application site is located at Sound, Nantwich and is identified as an area of Open Countryside within the Local Plan. The site itself is a parcel of land of approximately 112 acres formerly associated with Oak Farm, and has the benefit of an agriculturally tied bungalow.

The site is divided by hedgerows with mature belts of trees to the north and east, with only limited views available from public vantage points of Whitchurch Road, Mickley Hall Lane and French Lane.

The site gained approval for the same development under 13/2637N by Southern Committee in September last year.

The site is accessed off an agricultural access located off Mickley Hall Lane.

DETAILS OF PROPOSAL

The application seeks planning permission for the construction of two poultry buildings, control room, four feed bins, hard standing and access track. The buildings would house 32 000 free range laying hens.

The proposed buildings would be connected via the control room and would measure 76m by 44m with a height of 5.7m in total.

The application site already contains two linked poultry buildings to the north.

At the time of the case officer's site visit the buildings constructed under application 13/2637N were under construction.

RELEVANT HISTORY

- | | |
|----------|--|
| 13/2637N | Erection of 2 No. poultry buildings, link control room, 4 No. feed bins and associated hardstanding and access road (resubmission of 13/0662N)
Approved 19/9/2013 |
| 13/0662N | Erection of 2 No. poultry buildings, link control room, 4 No. feed bins and associated hard standing and access road.

Withdrawn as protected species survey required. |
| 7/15249 | Agricultural workers dwelling
Approved March 1988 |

POLICIES

Local Plan Policy

Crewe and Nantwich Replacement Local Plan 2011

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.14 Agricultural Buildings Requiring Planning Permission
NE.17 Pollution Control

Other Material Considerations

National Planning Policy Framework

Planning Practice Guidance

CONSULTATIONS (External to Planning)

Environment Agency:

No objections to the proposal, however advise the applicant that an Environmental Permit would be required.

Highways: No comments to date

Environmental Health:

No objections subject to conditions requiring a waste management plan, details of lighting and a restriction on the hours of operation between 8am and 6pm Monday to Friday.

VIEWS OF THE PARISH / TOWN COUNCIL

None received

OTHER REPRESENTATIONS

None received

APPLICANT'S SUPPORTING INFORMATION

A Design and Access Statement was submitted as part of the application that can be viewed on file.

OFFICER APPRAISAL

Principle of Development

The site lies within an area of Open Countryside where there is a presumption against inappropriate development. The construction of new buildings within the Open Countryside is inappropriate unless it is for the following purpose;

'Only development which is essential for the purposes of agriculture, forestry or outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted'.

The proposed development falls within the definition of agriculture as defined within section 336 of the Town and Country Planning Act 1990 (as amended). Policy NE.2 states that that agricultural development is considered an appropriate use within a rural area. The National Planning Policy Framework supports this view. Policy NE.14 allows for new agricultural buildings subject to a number of requirements, including that the building is required for agriculture. In essence, the principle of the development is considered to be acceptable, subject to compliance with other relevant policies within the Local Plan.

Design of Building and Impact upon the countryside

The proposal seeks permission for an additional poultry building to the south-east of the previously approved scheme.

The proposed building would be sited approximately 240m in to the site from Whitchurch Road. The proposed building would be 5.7m in height, with a footprint of approximately 3000sqm. The building would take a typical agricultural appearance, scale and form, and would match the previously approved building on site.

The building would be of typical agricultural appearance, clad entirely in plastic coated profiled steel, finished in an olive green colour (juniper green). Four feed silos would be located on concrete adjacent to the building, with hard standing area for parking and turning. An existing access track within the site would be extended in order to provide access from Mickley Hall Lane. The extension to the track would be fabricated in crushed stone and concrete, typical to the rural character of the area.

The proposed building will be seen within the area, with limited views available from public vantage points, however it would be in keeping as an agricultural function within the rural area.

An appropriate landscaping scheme was agreed under application 13/2637N in order to further reduce the visual impact of the building.

Residential Amenity

The proposed development falls under the control of the Environment Agency and in order to operate an IPPC permit is required for the development. In order to operate, any poultry unit with more than 40,000 birds is required by law to hold an IPPC permit which is administered by the Environment Agency. The permit must take into account the whole environmental performance of the plant, covering e.g. emissions to air, water and land, generation of waste, use of raw materials, energy efficiency, noise, prevention of accidents, and restoration of the site upon closure. The purpose of the Directive is to ensure a high level of protection of the environment taken as a whole. As the existing poultry unit and the proposed expansion of the unit are controlled under the IPPC permitting regime, the likelihood of significant impact on the environment from the proposed development is negligible due to the strict regime of control.

The unit will be managed with the birds housed in 'deep litter' with ventilation system that does not attract flies or result in odour problems. Dust from the production will be controlled via the ventilation system within the building, in line with European Union guidance. Calculations submitted by the applicant suggest that dust would not fall beyond 100m of the building, therefore no impact would be felt to the nearest residential property 450m away. It is of merit to note that the Environmental Health department have viewed the proposal and raise no objections to the proposal. The applicant states that manure would be removed from the building twice weekly and would be used as fertiliser by a neighbouring farmer. A Waste Management Plan would be requested via condition in order to ensure the safe removal of waste.

With regard to visual impact, privacy and overshadowing, the nearest residential building is sited in excess of 450m from the site. Located to the north is a farmstead, to the east and south open fields, and to the west lie residential properties as the topography of the land rises. The existing hedgerow surrounding the site, twinned with the siting of the building well into the site would provide benefits in the form of screening.

The egg unit is designed in order to prevent adverse environmental consequences, and would be controlled via the permit system of the Environment Agency. As such, the proposal would not adversely affect the residential amenity of neighbouring dwellings, complying with policy BE.1 of the Local Plan.

Highways

Comments are awaited from the highways authority, however no objections were received under the last application. Highway comments will be provided to Members via an update report.

Ecology

A number of ponds are located within 250m of the proposed development and a small population of great crested newts have been recorded as breeding to the south of the proposed development.

The Council's Ecologist has advised that the application site offers very limited habitat for great crested newts and the potential impacts of the proposed development are limited to the low risk of any newts that venture onto the site being killed or injured during the construction process. In order to address this risk the applicant's ecological constant has recommended a suite of 'reasonable avoidance measures'

These measures are implemented the proposed development would be highly unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application. A condition would be required to ensure that the proposed development proceeds in accordance within the submitted ecology report.

Public Right Of Way (PROW)

Broomhall FP1 crosses the site from east to west. The existing agricultural track crosses the footpath, and the proposal seeks an additional extension to this access which would not impact upon FP1 any further.

The Council's PROW Officer has been consulted and request that for health and safety a sign is erected to warn pedestrians of the vehicle movement, this could be ensured by condition.

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 would not adversely impact upon highway safety. The Great Crested Newts within ponds on/adjacent to the site would be protected by the mitigation measures within the survey submitted. 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) Approved plans**
- 3) Facing and roofing materials to be submitted**
- 4) In accordance with protected species survey**
- 5) Foul and surface drainage water details to be submitted**
- 6) Submission of a waste management plan**
- 7) Deliveries and collections from site including delivery and removal of livestock and waste only Monday- Friday 8am – 6pm**
- 8) No external lighting unless agreed in writing by the LPA.**
- 9) PROW signage**

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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CLIENT

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Broadway Eagle Ltd
Holly Springs
Wilmington, NC

JOB TITLE

Free Range Egg Unit

DWG. TITLE

Location Plan

SCALE 1:2500

DRN-IP

REVISION

DWG. NUMBER DATE

IP/AM/01 June 16

