

<b>Planning Reference No:</b>	10/0678N
<b>Application Address:</b>	Brindley Farm, Wrexham Road, Burland, Nantwich, CW5 8NA
<b>Proposal:</b>	Erection of a Poultry Shed as an Extension to an Existing Poultry Unit
<b>Applicant:</b>	RM & K Whittaker
<b>Application Type:</b>	Full Planning
<b>Grid Reference:</b>	361060 353820
<b>Ward:</b>	Cholmondeley
<b>Earliest Determination Date:</b>	14 <sup>th</sup> April 2010
<b>Expiry Dated:</b>	27 <sup>th</sup> May 2010
<b>Date of Officer's Site Visit:</b>	15 <sup>th</sup> March 2010
<b>Date Report Prepared:</b>	8 <sup>th</sup> April 2010
<b>Constraints:</b>	Open Countryside

## **SUMMARY RECOMMENDATION**

**Approve with Conditions**

### **MAIN ISSUES**

- Principle of Development
- Impact on Character and Appearance of the open countryside
- Impact on Amenity of adjacent properties
- Impact on highway safety
- Impact on Protected Species
- Impact on Public Right of Way
- Impact on local watercourse through Flooding

## **1. REASON FOR REFERRAL**

This application is to be considered by the Southern Planning Committee as the proposal involves the creation of over 1,000sqm of agricultural floorspace.

## **2. DESCRIPTION OF SITE AND CONTEXT**

The application site is an existing intensive poultry farm for meat for human consumption, located to the west of the village of Burland on land which is designated within the Local Plan as Open Countryside. The farming complex is a well established enterprise with a mixture of traditional farm buildings and a modern portal buildings. There are 4 existing large poultry sheds on the site. To the west of the existing poultry sheds, adjacent to the eastern boundary of the application site, lies a brook and Public Footpath. To the north are open agricultural fields.

## **3. DETAILS OF PROPOSAL**

The application proposes the construction of a poultry shed measuring approximately 99m in length and 20m in width, with a maximum height to ridge of 4.4m. The scheme also includes the construction of a small control room and two feed bins that are 7.5m in height, and also an 18m wide concrete apron to the front of the building. The proposals

will increase the accommodation at the site from 127,124 to 161,815 birds (increase of 34,691 broilers).

#### **4. RELEVANT HISTORY**

**P98/0568** – Planning permission approved for two poultry sheds on 18<sup>th</sup> September 1998.

**P96/0643** – Planning permission approved for a poultry shed on 19<sup>th</sup> September 1996.

**P93/0693** – Planning permission approved for a poultry shed on 29<sup>th</sup> September 1993.

#### **5. POLICIES**

The development plan 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**

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  
NE.20 Flood Prevention  
BE.1 Amenity  
BE.2 Design Standards  
BE.3 Access and Parking  
BE.4 Drainage, Utilities and Resources  
BE.5 Infrastructure  
RT.9 Footpaths and Bridleways

##### **Other Material Considerations**

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 4: Planning for Sustainable Economic Growth  
- Policy EC.10 Determining Planning Applications for Economic Development  
- Policy EC.12 Determining Planning Applications for Economic Development in Rural Areas  
Planning Policy Statement 7: Sustainable Development in Rural Areas

#### **6. CONSULTATIONS (External to Planning)**

**Strategic Highways Manager:** The existing access has been improved as part of a previous planning permission. There is no significant increase in vehicular movements at this location as a direct result of this application. No highways objections.

**ESU Nature Conservation:** Do not object to this application. Do not anticipate there being any significant ecological issues associated with the development.

**ESU Landscape:** No comments received at time of writing report

**Environment Agency:** No objection subject to conditions. The site is currently at high risk of being flooded from fluvial sources. The maps are however indicative. The Flood Risk Assessment identified that there is a medium annual risk of fluvial flooding to the site. The report has made a number of recommendations to reduce the impact of flooding on the proposed development. Therefore a condition for a scheme of flood proofing measures to be submitted.

A variation of the site licence is also required (Informative)

**Environmental Health:** The site is licensed and regulated by the Environment Agency and so any environmental concerns will be regulated through their site permit. However would like one condition for Acoustic Enclosures of any fans, compressors or other equipment with the potential to create noise.

**United Utilities:** No objection to the proposal

**Public Right of Way Unit:** Property is adjacent to public footpath Brindley No.24. It appears unlikely that the development will affect the PROW. However they expect an informative to be attached to any permission to make the developers aware of their obligation not to affect the footpath.

**Spatial Planning:** No comments received

**Ramblers Association:** No comments received

**Open Space Society:** No comments received

**Mid Cheshire Footpath Society:** No comments received

## **7. VIEWS OF THE PARISH COUNCIL**

None received at time of writing report

## **8. OTHER REPRESENTATIONS**

None received at time of writing report

## **9. APPLICANT'S SUPPORTING INFORMATION**

**Planning Statement** (*Prepared by HOW Planning dated January 2010*)

- Screening and Scoping Opinion obtained from Local Planning Authority which concluded that an Environmental Impact Assessment was not required.
- Overview of business operation provided
- Feed brought in by HGV's
- Mortalities are collected on a regular basis, stored in sealed containers and removed by a licensed operator. Carcasses are stored in a frozen store on site to reduce unnecessary vehicular movements
- Wood shavings laid to a depth of 2cm. At the end of the crop cycle the litter is taken by tractor and spread on nearby farm as organic fertilizer (owned by Huxley Farms). 624 tonnes will be produced by the crop each year, as a worse case scenario.

- Access has visibility of 2.4m x 215m.
- Landscaping proposed to soften the appearance of the building
- All external lighting will be downward facing to reduce light spill. Single low wattage light during working hours of winter months
- Development does not have the potential to increase flood risk to surrounding area. Therefore surface water will be connected to existing drainage system
- During washdown surface water will be diverted to the underground dirty water storage tanks
- 24 hour/7 day a week operation.
- Additional shed will require 2 full time employees.
- Odour management: Propose to reduce moisture content in shed as wet litter emits more odour than dry – maintain moisture content, topping up or replacing wet litter, minimising spills from watering system, insulation to minimise condensation
- Provide adequate ventilation of appropriate design
- Control shed temperature and humidity
- Removing spent litter from shed which will occur approximately 7.45 times a year – series of best practice measures have been suggested
- Spreading will be avoided in adverse weather, weekends or public holidays, cultivated to soil as quickly as possible, consideration of wind speed and direction
- Dietary manipulation will be practiced to control odour
- Odour baffle will be placed 4m from the outlet ventilation fans to enhance dispersion and directing odourants in an upwards direction
- Series of noise suppression measures proposed
- Air quality study undertaken – concluded that no air quality standards or guidelines are forecast to be exceeded. Forecast rates of deposition of potentially hazardous substances due to emissions from the facility were also within relevant guidelines. The development will have no significant effect on air quality, the health of local people or designated wildlife sites.
- Landscape assessment – the landscape and visual assessment has established that the proposed poultry installation will have limited effect on the baseline conditions in terms of both landscape character and visual amenity. Site selection and design will reduce, minimise or even improve any potential adverse effects. On balance it is considered that the development would be acceptable in this context
- Traffic – Existing 7 week movements of 82 HGV's, 46 Tractors and 6 Vans. Proposed 7 week movements of 102 HGV's, 58 Tractors and 6 Vans. Annually there will therefore be an increase of 152 HGV's and 91 Tractor movements. The proposals will not increase movements above one movement per day or above two movements per day during peak periods in the crop cycle. There will be no significant effect on the highway network.

**Design and Access Statement** *(prepared by Roger Parry & Partners LLP dated February 2010)*

- Use – Proposed use is to house broiler chickens. Proposals include feed and control rooms
- Amount – Provision of one building with control room and associated feed bins
- Layout – Proposal located to the east of existing poultry houses
- Scale – house will measure 96.281m x 20.12m. Eaves and ridge heights will be 2.59m and 4.36m respectively. Attached control room will measure 3.05m x 6.096m. Feed bins will be 7.5m high and 2.8m in diameter.
- Landscaping – site already well screened from existing vegetation. Proposed to establish a hedgerow comprising mixed native species along the eastern boundary to screen the existing and proposed building from the footpath to the east. Provision will be made for a concrete apron to front of building

- Appearance – Steel Framed construction. Roof and side wall will be clad with box profile polyester coated steel sheeting. Feed bin will be coloured grey to match existing buildings. The building will be painted to match the existing buildings. Appearance is typical of many modern poultry buildings and therefore appropriate in rural context.
- Access – the existing access has been improved as part of previous planning application and will remain unaltered.

**Baseline Ecological Survey Report** *(prepared by Pearce Environment Ltd dated June 2009)*

- Survey for Birds, Bats, Great Crested Newts, Badgers, Water Voles, Otter carried out
- Pond to the west of the site found that there is little potential for the species.
- Badgers, Water Voles, Otters, reptiles not found to exist on site.
- No bat roosts exist on the site
- Action will be required if birds are known to existing on the site or if hedgerow is removed during nesting season.

**Flood Risk Assessment** *(Prepared by Hafren Water dated January 2010)*

- Site identified as being at risk from flooding within the Environment Agency's flood map within Flood Zone 3, which is a 1 in 100 or greater annual probability of river flooding. Part of site within Flood Zone 2 which has a probability of between 1 in 100 and 1 in 1000 annual probability.
- Based on the evidence available and absence of historical reports of flooding, the likelihood of fluvial flooding is considered to be "medium", the hazard "medium" and the overall risk is considered to be "medium".
- No known groundwater flooding in the vicinity of the site
- The application area will receive some surface run off from the yard to the west. The overall risk from surface water flooding is considered to be low.
- Suggested mitigation measures – storm drain to the west of the building would alleviate flows from surface water run-off and fluvial flooding. Electrical points should be located above floor level. Sand bags or flood barriers could be emplaced across the building entrance in the case of a flood. Inside floor levels could be raised (not best approach). Routine management of watercourse vegetation could increase flow. Keep informed of severe weather warnings. Underground tank to collect dirty water run-off.

## **10. OFFICER APPRAISAL**

### **Principle of Development**

Planning Policy NE.14 allows for the erection of agricultural buildings where the proposed development is required for the use of land for agricultural purposes and essential either to the agricultural operation or to comply with current environmental and welfare legislation, and maintains the economic viability of the holding. The applicant has stated that the proposed poultry shed will allow the poultry site to employ two full time workers. Furthermore, it has been stated that broiler production has been on rapid decline since 2005, and is at its lowest production level since 1995 (DEFRA). The applicant also states that the proposed development economic development will have a positive contribution towards the UK poultry sector. Planning Policy Statement 7: Sustainable Development in Rural Areas encourages agricultural development which enables farmers to become more competitive, allow them to adapt to new or changing markets, to comply with changing legislation and to broaden their operations to add value. It is clear that the proposed development will be ancillary to the existing agricultural operations of the site. Whilst no evidence has been submitted to suggest that the proposals are essential for the economic

viability of the holding itself, the proposed development would be in line with PPS7 and the it is considered that there are wider economic benefits to justify the development. It is therefore considered that the proposed development is acceptable in principle providing the other criteria of Policy NE.14 in relation to design, disposal of waste, access arrangements, and amenity are satisfied, and other wider issues relating to protected species and flooding are considered.

A Screening and Scoping Opinion was requested from the Local Planning Authority to determine whether the proposed development would require an Environmental Impact Assessment. The Local Planning Authority considered the proposals both in isolation and cumulatively with existing development on the site and concluded that an EIA would not be required for this installation as the proposal would not result in significant environmental effects.

### **Impact on Open Countryside and Design**

The application proposals are for a significant structure measuring approximately 96m in length and 20m in width, with a maximum height of 4.4m. A building of this scale therefore has the potential to cause harm to the Open Countryside. The farm complex has four existing large poultry sheds which are sited in an east to west orientation. The proposed building will be sited immediately to the east of the existing sheds at a north to south orientation on land that is a part hardstanding and part grazing land. Whilst having a large footprint the building is of a low height when compared to other modern agricultural buildings which helps to reduce the visual prominence of the building. In its proposed location the building would be well screened from the south and west due to existing buildings and when viewed from the north and east it would be seen against the backdrop of existing development. It is considered that the proposed building is therefore appropriately sited in relation to existing buildings.

The building will be constructed from box profile steel sheeting with a grey finish which will match the existing sheds on the site and is of an appropriate appearance in this rural context.

Immediately to the east of the application site is public footpath Brindley No.24, the route of which runs along an existing farm track. The proposed building will be sited at its closest point 15m from the footpath and would be visible from this vantage point. As previously considered the proposed development would be in the context of the existing buildings on site. Additional mixed species hedgerow landscaping is proposed along the boundary line to help to screen the development and reduce its visual impact. It is considered that conditions to secure this hedgerow landscaping, along with additional trees, and for the implementation of the scheme are appropriate.

### **Amenity**

Policy BE.1 (Amenity) states that development should not have an adverse impact on adjoining properties through loss overshadowing, overlooking, visual intrusion or any other way, including noise and disturbance. The proposed development would not be sited within immediate proximity to any dwellings. The nearest dwelling outside the farming complex is sited 140m to the south of the proposed building.

No objection has been raised by Environmental Health or the Environment Agency with regard to noise and odour. The proposed development is sited at some distance from the nearest residential property and there are a number of buildings between the proposal and the nearest sensitive receptor which will act as a buffer for noise. Notwithstanding this there is still some potential for some nuisance to be caused if unmitigated. Therefore in line with the suggestions of Environmental Health a condition requiring acoustic attenuation measures to be submitted is suggested.

The application site currently has a permit from the Environment Agency to allow it to operate. A new permit or a variation of the existing permit will be required to allow for the additional broilers proposed at the site. The Environment Agency permit regulates the level of ammonia emitted from the site. A series of best practice measures to control odour emissions have been submitted with the application which would be required to comply with any permit for intensive broiler farming.

With regard to vehicular movements there will be an increase of tractor and HGV movements to/from the site. Over a 7 week period there will be an additional 20 HGV movements and an additional 12 tractor movements. The proposed increase on average would be less than one vehicle a day and would be imperceptible. It is therefore not considered to be a significant increase in comings and goings that would result in significantly demonstrable harm to the amenities of nearby residents along the Wrexham Road.

## **Highways**

The existing site access has recently been improved under a previous planning application which is adequate for the HGV movements. The access now has visibility splays of 215m in each direction. The increase in vehicular movements, as outlined in the above section, would not result in significant impact on the highways network. There has been no objection raised by the Strategic Highways Manager. It is therefore considered that there would be no significant highways issues resulting from the proposed development.

## **Protected Species**

A protected species survey has been submitted with the application. The survey considered the impact of the development on a number of protected species including bats, breeding birds, Great Crested Newts, otters, white clawed crayfish and water voles. No protected species were identified as present. A pond was noted to the west of the site. However this was considered to be unlikely to support GCN's. Furthermore there is a brook between the site and the pond which would form a barrier to migration. There has been no objection raised by the Council's Ecologist.

## **Waste Disposal**

The applicant has stated that the litter generated by the broilers will be collected and spread on nearby farms. A scheme of best practice for how this should be managed has also been proposed. Due to the potential impact that manure has on pollution the Environment Agency permit regulates how this should be disposed of.

At the end of the crop cycle the sheds are cleaned and the waste water is to be directed to tanks under the hardstanding. Surface water will also be redirected to these tanks at this time to ensure that dirty water does not direct into the nearby watercourse.

## **Flood Risk**

The Environment Agency's indicative Flood Map identifies part of the application site to be within Flood Zone 3 (1 in 100 year probability) and part within Flood Zone 2 (1 in 100 to 1 in 1000 probability). Therefore a Flood Risk Assessment has been submitted to support the application. This report identifies that there is no historic evidence of flooding at the site and that the site is at a "medium" risk to flooding. The assessment suggests the creation of a storm drain to the west of the building to alleviate flows from surface water run-off and fluvial flooding. No details of on-site drainage have been submitted and it is therefore suggested that these details are submitted to the Local Planning Authority for approval. These details should also include detail of the waste water tanks detailed above.

The Environment Agency has also suggested that a condition be attached for details of flood proofing measures to be submitted and approved.

## **Public Rights of Way**

Public Footpath Brindley No.24 is sited immediately to the east of the application site. The proposed development at its closest will be 15m from the public right of way and would not therefore require the diversion of the PROW. An informative highlighting the developers obligation to keep the footpath free from obstruction is required.

## **11. CONCLUSIONS**

The proposed agricultural development is considered to be justified in this location. Although a large structure the building is appropriately sited and designed to minimise the impact on the open countryside, with additional landscaping further reducing its impact. The nature of the development has the potential to cause nuisance to the amenity surrounding residents through odour, noise and traffic movements. A permit from the Environment Agency is required to operate the installation which will regulate odour emissions, whilst a condition for acoustic attenuation will reduce any noise impact. The level of additional comings and goings would be minimal. It is also considered that there would be no significant impact on the safety of the local highway network, protected species, flooding or public rights of way. The proposed development is therefore considered to be in compliance with Policies 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, NE.20 Flood Prevention, BE.1 Amenity, BE.2 Design Standards, BE.3 Access and Parking, BE.4 Drainage, Utilities and Resources, BE.5 Infrastructure and RT.9 Footpaths and Bridleways of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

## **12. RECOMMENDATIONS**

### **Approve subject to conditions**

- 1. Standard**
- 2. Plans**
- 3. Materials as submitted**



- 4. Scheme of landscaping to be submitted**
- 5. Scheme of landscaping to be implemented**
- 6. Scheme of drainage to be submitted to include flood mitigation measures and details of waste water storage tanks**
- 7. Details of acoustic attenuation measures to be submitted and approved**

