

Application No: 18/5733N

Location: RED HALL FARM, MIDDLEWICH ROAD, LEIGHTON, CHESHIRE, CW1 4QU

Proposal: Erection of 2 No. additional poultry buildings on established poultry farm.

Applicant: Mr James Charlesworth, T J Charlesworth

Expiry Date: 08-Mar-2019

### **SUMMARY**

The application site lies entirely within the Open Countryside where Policy PG 6 (Open Countryside) of the CELPS sets out the exceptions for development in the Open Countryside which includes development which is essential for the purposes of agriculture.

The design is acceptable and the impact on the surrounding amenity, trees, ecology and the highway network will not be significant.

On the basis of the above, it is considered that the proposal represents sustainable development and is recommended for approval.

### **RECOMMENDATION**

**APPROVE with conditions**

### **REASON FOR REFERRAL**

This application is referred to Southern Planning Committee as it is major development subject to an Environmental Impact Assessment for Schedule 1 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **PROPOSAL**

This is a full planning application for the construction of two additional poultry sheds, each 100.6m by 24.7m, eaves height of 2.9m and ridge height of 6.4m. Each building will accommodate 54,000 birds, increasing the capacity of the site by 108,000 birds to a total stocking number of 484,000 birds.

The buildings are to be clad in olive green sheeting.

The application also includes an attenuation pond on the west side of the existing units.

The broiler rearing cycle operates on an “all in, all out” system, and each cycle takes 44 days (including approx. 38 days of rearing and 6 days for cleaning and preparation). They will operate with 7.5 flocks per annum.

The development includes a short access track and concrete apron, and will be served by the existing access from the A530.

The application is accompanied by an Environmental Statement, which includes reports on: flood risk and drainage, odour, Great Crested Newts and ammonia.

A design and access statement, tree report and a landscaping scheme have been submitted.

The application has been amended to reduce the size of the buildings in order to safeguard existing trees on the western boundary.

## **SITE DESCRIPTION**

The application site comprises open land on the north side of the existing poultry farm. Access is via an existing dedicated roadway from the A530 Middlewich Road. The farm has 8 poultry buildings and currently stocks a maximum of 376,000 birds for meat production. The site is controlled by the Environment Agency under an Environmental Permit.

To the south-west of the site is Red Hall Wood, which is a Site of Biological Importance.

## **RELEVANT HISTORY ON SITE**

14/2920N - Biomass boiler - Approved 1/8/2014

12/3049N - Agricultural farming unit - Approval not required 31/8/2012

P07/0912 - Erection of 4 poultry sheds - Approved 24/9/2007

P96/0659 - Erection of 4 poultry units - Approved 17/10/1996

## **LOCAL & NATIONAL POLICY**

### **Development Plan:**

#### **Cheshire East Local Plan Strategy (CELPs) (Adopted)**

MP 1 - Presumption in Favour of Sustainable Development

SD 2 - Sustainable Development Principles

SE 1 - Design

SE 2 - Efficient Use of Land

SE3 - Biodiversity

SE4 - Landscape

SE 5 - Trees, Hedgerows and Woodland

SC3 - Health and well-being

SE11 - Sustainable management of Waste  
SE13 - Flood risk and water management  
PG6 - Open Countryside  
EG1 - Economic prosperity  
EG2 - Rural Economy

**Borough of Crewe and Nantwich Replacement Local Plan 2011 (Adopted)**

BE.1 - Amenity  
BE.3 - Access and Parking  
NE5 - Nature Conservation  
NE9 - Protected Species  
NE10 - New woodland planting and landscaping  
NE14 - Agricultural buildings

**National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

**CONSULTATIONS:**

**Head of Strategic Infrastructure (HSI)** – No objection.

**Environmental Protection** – No objection subject to informatives.

**Natural England:** No objection

**Environment Agency:** No objection

**United Utilities:** No objection subject to conditions

**Flood risk officer:** No objections

**Public Health England:** No objections

**VIEWS OF THE PARISH COUNCIL:**

Minshull Vernon and District Parish Council: No comments received

**REPRESENTATIONS:**

None received

**APPRAISAL**

The key issues to be considered in the determination of this application are set out below.

**Principle of Development**

Policy PG 6 (Open Countryside) of the CELPS sets out the exceptions for development in the Open Countryside which includes development which is essential for the purposes of agriculture.

Policy NE14 requires the proposal should be ancillary to the use of land for agricultural purposes, be satisfactorily sited in relation to existing buildings, should be of appropriate location, scale and type, and not be detrimental to residential amenity.

As an agricultural development at an existing farm the proposal is considered to comply with policies PG6 and NE14.

### **Amenity and health**

Policy BE.1 (Amenity) of the Local Plan advises that new development should not be permitted if it is deemed to have a detrimental impact upon neighbouring amenity in terms of overlooking, visual intrusion or noise and disturbance or do not lead to an increase in air, noise or water pollution.

The nearest residential properties (apart from the farm dwellings), are Hoolgrave Manor, 690 metres to the north and Red Hall Cottages 850 metres to the east, with the hospital buildings 950 metres to the east.

The Environment Agency has no objection in principle to the proposed development. The existing site is permitted under the Environmental Permitting Regulations 2016, and the site operator has applied to vary the existing permit accounting for the potential increase in bird numbers associated with the proposed development.

Public Health England state that, based solely on the information contained in the application provided, PHE has no significant concerns regarding risk to health of the local population from this proposed activity, providing that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance or industry best practice.

The EHO raises no objections and recommends informatives regarding construction hours and possible contamination.

The proposal is therefore considered to be in compliance with Policy BE.1 (Amenity) of the adopted local plan.

### **Design**

Policy SE1 (Design) of the CELPS sets out the design criteria for new development, and states that development proposals should make a positive contribution to their surroundings.

The proposed buildings are set within a field enclosed by hedges and mature trees on three sides, with a high voltage overhead line defining the eastern boundary. Although they are set on higher ground (+1.7m) and are taller (+1.7m) than the existing poultry units to the south, the development would be seen in the context of the existing poultry farm, including buildings of a

similar height to the east. The buildings are of an appropriate design for their purpose, using appropriate materials.

## **Landscape and Trees**

The site is located in open countryside. It has no local or national landscape designation. The location of the proposed buildings is a field currently laid to grass. An existing access from Middlewich Road would be used. The proposed attenuation pond would be in a separate narrow grassed strip to the south west.

The existing poultry complex lies to the south of the proposed buildings with general farm buildings to the east and fields to the north and west. There is a single mature Oak tree within the proposed site close to the southern boundary with a belt of screen planting on a bank separating the site from existing hard standing and buildings at a lower level. To the west there are remnant lengths of hedge with several mature hedgerow trees and to the north a track with a hedgerow beyond. The attenuation site would lie between a tree lined hedgerow and existing poultry units. Overhead electricity lines cross the site.

The nearest public footpath is Minshull Vernon FP16, which is located 800 metres to the north, with a hedge and trees located in between.

The development is subject to EIA Regulations and an Environmental Statement has been provided. The statement references landscape and visual impacts and suggests that the development would have negligible landscape and visual impact. The assessment does not follow the industry standard GLVIA guidelines.

Landscape proposals have been provided. Subject to substitution of a native wetland species in place of the ornamental species the proposals are acceptable. An implementation condition would be appropriate.

A condition to secure details of management of any spoil arising from the scheme is also recommended.

Subject to implementation of the revised layout in accordance with the tree protection measures detailed in the Arboricultural Impact Assessment and Method Statement, most of the significant mature trees could be retained. The main exception is an oak tree T34 which is category B, and adjoins the southern proposed building. It is located towards the centre of the site and would not be a significant loss in landscape terms. Its loss can be offset by new planting.

The line of the proposed drainage pipeline and its impact upon the trees to the boundary of the site would be the subject of a planning condition.

Provided the drainage can be accommodated, arboricultural conditions would be appropriate.

## **Ecology**

### Statutory Designated sites

The proposed development is located within 10km of Wybunbury Moss SSSI which forms part of the Midland Meres and Mosses Phase 1 Ramsar & the West Midland Mosses Special Area of Conservation (SAC).

Natural England advise that the proposed development is not likely to have an adverse impact upon the features for which the Ramsar and SAC was designated.

Under the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant effects'. This assessment has been undertaken. The assessment concludes that the proposed development is not likely to have a significant impact upon the features for which the statutory site was designated. Consequently, a more detailed Appropriate Assessment is not required.

### Non-statutory Designated Sites

Red Hall Wood Local Wildlife Site (LWS), which includes ancient woodland habitats is located roughly 200m from the site of the proposed development. Habitats of this type are protected by Local Plan Policy SE3.

The Local Wildlife Site would be sensitive to contamination by ammonia emissions associated with the existing and proposed poultry units. The proposed development however involves the upgrading of the ventilation of the existing units together with more modern ventilation being provided on the two proposed units. The Council's ecology officer advises that the upgrading of the existing units as part of the proposed development will deliver a significant reduction in total ammonia emissions and so be beneficial for the Local Wildlife Site.

If planning consent is granted a condition is required to ensure that the upgrading of the existing units is delivered in a timely manner.

### Great Crested Newts

The application is supported by a Great Crested Newt assessment. The Council's ecology officer advises that this species is not reasonable likely to be present or affected by the proposed development.

### Ecological enhancement

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with his policy.

To achieve this policy objective the proposed plan has been annotated to include proposals for the restoration of the hedgerow along the sites eastern boundary.

### **Highways**

The proposal would result in an uplift in vehicle movements of 570 lorry movements per year, or a 30% increase. The accident data indicates that there is no existing safety concern with the

access onto Middlewich Road. Passing bays and visibility splays were secured under the previous permission.

No objection is raised on highway safety grounds.

### **Drainage**

The site is within flood zone 1 (lowest risk) and drainage proposals are included in the application. The drainage proposals include an attenuated surface water drainage system including an attenuation pond to the west of the existing units, and a certified dirty water system. Therefore it is considered that the drainage proposals are acceptable under the terms of adopted policies.

A revised site drainage scheme will be required as a condition, as the size of the buildings has changed, and there is a need to ensure that the drainage does not adversely affect trees.

### **Waste disposal**

At the end of each 38 day flock cycle the buildings are cleaned out and the manure removed using agricultural loaders, then loaded into trailers which are sheeted. The manure is then exported to anaerobic digester plants in the locality for disposal. The buildings are then washed out with drainage going to a sealed concrete dirty water tank, which is emptied by a tanker. The arrangement is considered to be acceptable in terms of its environmental impacts.

### **External Lighting**

The development does not require external lighting except for a 3 day period for each cycle.

### **Pre-Commencement Conditions**

Conditions are required regarding further information to address landscape and tree requirements which will be agreed with the agent prior to issuing of any permission, in the event of a favourable decision by the Southern Planning Committee.

### **Conclusion**

The proposed development is an expansion of an existing farm business and the proposal will be seen within the existing group of farm buildings. The proposal is in accordance with National and Local Plan Policy and the development is considered to be appropriate to its rural location. The proposed development would not cause adverse impacts upon residential amenity or highway safety, and the location of the poultry sheds and their location alongside the existing poultry complex would appear acceptable in the open countryside. The proposed development is not considered to have any adverse impacts in terms of designated habitats or protected species. As such, it is considered that the development is acceptable.

### **RECOMMENDATION**

**APPROVE subject to conditions;**

- 1. Time (3 years)**
- 2. Plans**
- 3. Materials as per application**
- 4. Development in accordance with EIA**
- 5. Submission of landscape scheme with amendments**
- 6. Implementation of landscape scheme**
- 7. Tree protection**
- 8. Scheme for management of spoil**
- 9. Ecology condition- upgrading of existing units**
- 10. Implementation of drainage proposals**
- 11. Further agreement of drainage works close to retained trees**

**In order to give proper effect to the Board`s/Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.**



