Committee and date	Item
Area Regulatory Committee – South (Bridgnorth) 6th October 2009	**6**

Development Management Report

Application Number: 09/01321/FUL **Parish:** Stoke St Milborough

Grid Ref: 359006 - 281357

Proposal: Erection of a free range poultry building, associated feed bins and manure conveyor following excavation to level site and proposed landscaping

Site Address: The Wood Farm Wheathill Burwarton Bridgnorth Shropshire

Applicant: Mr I. Preece

Case Officer: Sarah Hanson **email:** planningdmsw@shropshire.gov.uk

1.0 THE PROPOSAL

1.1 This application seeks full planning consent for the erection of a 1350m^2 free range poultry building with associated feed bins and manure conveyor. The site would be excavated to provide a level site and landscaped.

1.2 The proposed building would be constructed with slate grey box profile steel sheet cladding and would measure 880 meters in length by 18.4 metres at its widest section to the east elevation and 15.4 metres to the west elevation. The roof would measure 5.5 metres to the ridge and 3.3 metres to the eaves. Two cylindrical feed bins would be sited on the north elevation. These would measure 2.7 metres in diameter and would be 9 metres high. To the side of the feed bins would be a manure conveyor. The building would have a ventilation system consisting of fans and vents on the west side elevation. The original application proposed 6no. ridge fans, but at this juncture, it is debatable whether or not these will be implemented. Confirmation is currently being sought. Lighting is proposed to be minimal and would only be in the form of a security light/s at night time so as not to disturb the hens.

2.0 SITE LOCATION/DESCRIPTION

2.1 Wood Farm is within the parish of Stoke St Milborough and is located to the north of the B4364, just beyond Cleedownton. The farm is located in the Shropshire Hills Area of Outstanding Natural Beauty on a gently sloping site.

2.2 The business is family run producing home reared beef and lamb from the pasture land and eggs predominantly from hens housed in battery cages. The farm has extensive arable land from which all the produce is fed to its livestock. The main farm house adjoins the yard which consists of a variety of farm buildings from old traditional timber units to more modern steel portal buildings. The land parcel is surrounded by mature hedgerows and some hedgerow trees. The applicant farms land which surrounds The Wood Farm and also land further to the east at Wheathill.

2.3 The free range unit would be sited on land at The Wood Farm and it is proposed to store waste material on fields close to the free range unit and on a field at Wheathill. There are residential properties within the vicinity of both sites. The nearest properties would be approximately 300 metres from the storage of the poultry waste at both sites.

With regard to the free range poultry unit, the nearest residential properties are located as follows:

- Little Wood is 390m away from the north gable end which would house the fans;
- Cockshut is 400m to the south and would just be able to see the gable end of the building; and
- Red House is 570m in a south-westerly direction and would have a clear unobstructed view of the gable end.

3.0 RECOMMENDATIONS

3.1 Permit subject to conditions

4.0 REASON FOR COMMITTEE

4.1 Objection received from Parish Council

5.0 RELEVANT PLANNING HISTORY

5.1 None relevant

6.0 CONSULTEE RESPONSES

6.1 Wheathill Parish Council – representing the views of a number of parishioners to highlight concerns about storage of waste. The Parish Council also point out that land known as the Green Dingle is drained by a stream which flows into the River Rea.

6.2 Stoke St Milborough Parish Council – No objection as long as the new building is to replace the existing poultry shed and will not increase the number of hens.

7.0 PUBLIC REPRESENTATIONS

7.1 Two objections, four comments and seven letters of support have been received. The objections and concerns have raised the following issues:

- The strategic locations for the storage of manure being close to residential properties and holiday units;
- Increase in traffic on single track lanes;

Letters of support have been received from neighbours who confirm that they have never had any problem with smell or flies from the spreading or storage of poultry waste from the existing unit.

8.0 PLANNING POLICY

8.1 **Central Government Guidance**:
PPS7 : Sustainable Development in Rural Areas

8.2 **West Midlands Regional Spatial Strategy Policies**:
PA15 : Agriculture and Farm Diversification

8.3 **Local Plan:**
E1 Landscape Conservation
E6 Design
SD1 Sustainable Development
ED1 Rural Development

9.0 THE MAIN PLANNING ISSUES

- Principle of development
- Impact on environment and residential amenity
- Landscape
- Noise

10.0 OFFICER APPRAISAL

10.1 **Principle of Development**

10.1.1 Wood farm is an established business which employs 4 family members on a full time basis and up to 6 part time workers. The farm currently produces eggs from battery hens which are sold via delivery rounds to retail and wholesale customers. Current legislation has determined that the housing of hens in battery cages will be banned from 1st January 2012. The existing business needs to develop an alternative method of egg production by either housing hens in 'enriched' cages or to develop a 'free range' system. Either option would require development of new buildings due to the unsuitability of existing buildings at the farm. Currently the farm has 3 old timber sheds with approximately 4,000 – 5,000 hens in each and one new steel portal framed building holding a similar number. The timber buildings would not be suitable for reuse for free range but could possibly be used for 'enriched' cages. It is therefore proposed to erect this new building alongside the existing sheds to develop a modern 16,000 bird 'free range' egg production unit. The unit would then increase to approximately 34,000 birds when the new unit is complete. By 2012 when new legislation comes into force, it is likely that this number will reduce with the loss of the battery operation. There is the potential to upgrade some of the existing housing to 'enriched cages' but this would be dependent on demand for the eggs produced in this way and if this type of housing would be allowed.

10.1.2 Stoke St Milborough Parish Council did not object to the erection of the new unit for the free range hens if it replaced the existing building and if the numbers of birds did not increase. As stated above, the applicants would be increasing their numbers of hens initially, but this may reduce or may increase dependent on the

market. As for the buildings, it is unlikely that the older timber sheds would be reused, but the newer steel portal frame building could be upgraded and used for 'enriched cages'. The applicants wish to keep as many options open to ensure they are able to adapt to changing circumstances.

10.1.3 Overall, it is considered that the business is established as a farming unit and in order to comply with future government legislation the farm needs to change its current form of egg production. Most of the existing buildings are not suitable for re-use and a new building is required. The building is deemed both necessary and appropriate for its use and the proposal meets complies with guidance provided by Planning Policy Statement 7.

10.2 **Impact on the environment and residential amenity**

10.2.1 There is potential that poultry units can provide significant amounts of waste can lead to odours and can act as a breeding ground for flies if the unit is not properly and effectively managed. The potential odour and fly problems have been raised by local residents who have expressed concerns regarding the storage and distribution of the waste from the units. A management plan has been submitted which provides details of the proposals for disposal of the waste produced and the measures that will be taken in mitigation of potential odour and fly nuisance.

10.2.2 Manure removal from the building would be in two stages. Droppings from the laying/nesting areas would be removed by conveyors twice weekly directly to farm trailers. When the building is emptied, approximately on a 60 week cycle, the roaming areas within the building will be cleaned out using mechanical loading equipment. All manure would be transported to strategic locations on the farm (as indicated on the plan) awaiting spreading on the arable pasture land in compliance with Environment Agency and DEFRA guidelines.

10.2.3 Spreading onto pasture land already occurs and would continue on a rotational basis utilising the fresh material removed from the buildings by the conveyor. The material is of a similar consistency to that which is removed less frequently however, it does not emit the same odour and is therefore not likely to cause a nuisance.

10.2.4 Spreading of the stored material onto arable land has the potential to cause an odour nuisance and this would be mitigated by incorporation of the material by ploughing promptly following spreading.

10.2.5 The waste material would be stored in open heaps in the positions marked on the plan; one area close to Green Dingle and the other in a field to the north of Cockshut. Previous practice has been to mix the poultry manure with farm manure which has the effect of reducing the odour problems. It is intended this practice would continue as far as practicable given the increase poultry manure production.

10.2.6 It is acknowledged that poultry manure storage heaps can create a fly problem however, this has not been a problem at The Wood Farm. To further mitigate any potential problems, the applicants agree to undertake to cover open heaps of poultry manure with plastic based sheeting during the warmer months of the

year so that the material is not accessible to flies. Both the distance from residential properties and the measures taken for storage and distribution are considered acceptable and as such, would not cause significant detrimental nuisance to neighbours with regard to odour or fly problems.

10.3 **Landscape**

10.3.1 The farm is a well established unit with farm buildings within close proximity of each other. The proposed unit would be positioned close to the existing buildings on a parcel of arable land. The land parcel is surrounded by mature hedgerows and some hedgerow trees and there is of course potential for further landscaping. However, the extent of further possible screening would be rather limited by the requirement for the hens to be able to gain access to the pasture. It is however, proposed that landscaping the site to a level area would result in the building base set below ground level to the south and the excavated material used to form a bund to provide some screening along with a measure of noise attenuation.

10.3.2

A landscaping condition is suggested to soften the impact of this large building in the landscape.

10.4 **Noise**

10.4.1 Concerns were raised regarding the potential noise from the fans to ventilate the unit. A noise report was subsequently submitted and the findings were that the noise from the fans would be unlikely to give rise to complaints during day time hours but could potentially be a nuisance during the night. The Council's Senior Pollution Control Officer suggests a condition to limit the operation of the fans from 7.00am to 11.00pm. However, I am uncertain that this would be acceptable due to animal welfare on the odd occasions when there is an extremely warm period over the summer months and when the night time temperature remains high. Further information has been requested from the applicant to ascertain the working of the ventilation, whether or not the ridge vents are to be utilised, details of bunding to mitigate noise disturbance and further information from the Acoustic Consultant. This information will be presented to the Members either prior to or at the Committee meeting.

11.0 CONCLUSION

11.1 The impending legislation is pushing the business into a major investment simply to continue operating. The parish council request that the unit replaces existing hens with no increase in numbers is potentially too restrictive on the business and may in the future limit the viability of the business as a whole. It is likely although not certain that ¾ of the existing battery houses are redundant for egg production post 2012 however, the existing newer battery house could potentially be converted to house laying hens in so called enriched cages. This type of housing may be allowed post 2012 however, the uncertainty at the moment dictates that the applicants need to keep as many options open simply to ensure they are able to adapt to changing circumstances.

11.2 It is considered that the proposal complies with local plan policies and guidance from Central Government. With the imposition of conditions, the development of this unit would be acceptable and therefore the proposal should be supported.

LIST OF BACKGROUND PAPERS:

HUMAN RIGHTS

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact of development upon nationally important features and the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

Reason for Approval

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans and drawings.

   Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

3. No development approved by this permission shall commence until there has been submitted to and approved by the local planning authority a scheme of landscaping and these works shall be carried out as approved and to a timescale as approved by the Local Planning Authority.

   Reason: To ensure the provision of amenity afforded by appropriate landscape design.

4. The building hereby permitted shall be used for the purposes of agriculture only as defined by section 336 of the Town and Country Planning Act 1990 (as amended).

   Reason: To safeguard the amenities of the area.

5. No built development shall commence until details of all external materials, including hard surfacing, have been first submitted to and approved by the Local Planning

Authority. The development shall be carried out in accordance with the approval details.

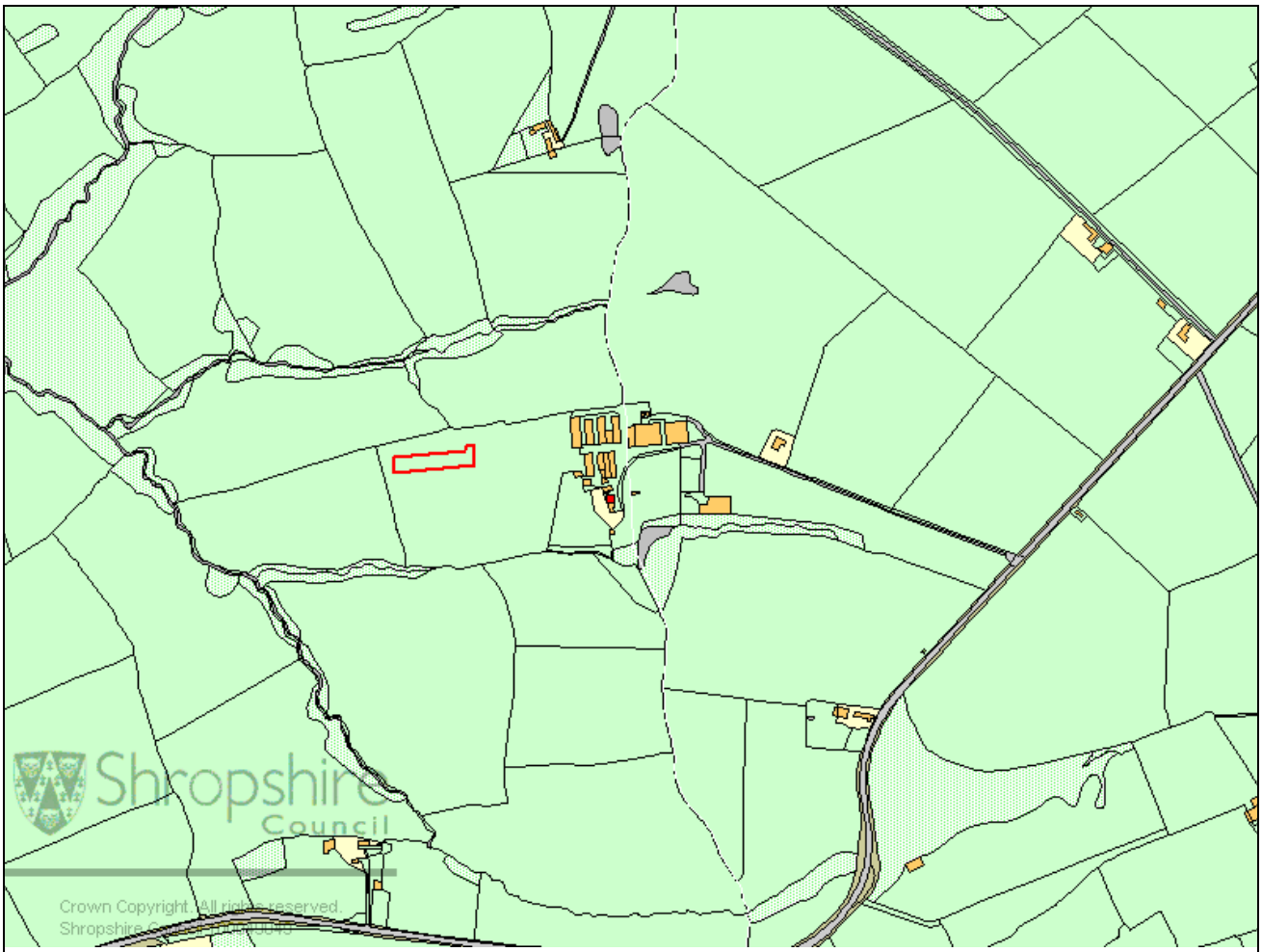
Reason: To ensure that the external appearance of the development is satisfactory.

6. Prior to the commencement of development, details of the proposed lighting shall be submitted to and approved by the local planning authority.

Reason: In the interest of safeguarding the surrounding area from light pollution.

7. The storage and distribution of poultry waste from the unit shall be in accordance with the Poultry Manure Management Plan from Nock Deighton Agricultural dated 7th September 2009.

Reason: To ensure proper distribution of the waste material in the interests of the environment and residential amenity.



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