

- 1. NW2003/1394/F - PROPOSED EXTENSIONS TO TWO EXISTING POULTRY HOUSES AND CONSTRUCTION OF TWO ADDITIONAL POULTRY HOUSES TOGETHER WITH ASSOCIATED ANCILLARY WORKS AT THE HUNTON SITE, THE WHITTERN FARMS, THE WHITTERN, LYONSHALL, KINGTON, HR5 3JA**
- For: The Whittern Farms Ltd per Mr M Hall, Mike Hall Advisory, 14 Sunningdale, Leominster, HR6 8EH**

Date Received:
8th May 2003

Expiry Date:
28th August 2003

Ward:
Pembroke & Lyonshall
with Titley

Grid Ref:
34247, 58200

Local Member: Councillor R Phillips

1. Site Description and Proposal

- 1.1 The application site is located in open countryside, designated as an Area of Great Landscape Value and comprises a rectangular plot of some 1.61 hectares lying immediately to the west of an unclassified road which provides access to and from the A44 to the south via Nextend and New Street. The Hunton site currently comprises of 4 established poultry units with associated feed silos and hardstanding and occupies a relatively inconspicuous low lying position benefiting from established tree and hedgerow screening to the south, west and north. The northern boundary is defined by an overgrown disused railway line which is in turn designated as a Special Wildlife Site.
- 1.2 The eastern boundary of the site is defined by open agricultural land which slopes away in an easterly direction and is more readily visible in long distance views.
- 1.3 The prevailing character of the area is agricultural but there are a number of dwellings in relatively close proximity to the application site, the nearest being 1 and 3 Lewis Wych some 300 metres to the south. Beyond this along the main route to and from the site are a number of other protected properties (those not occupied by persons engaged in agriculture) which are primarily focussed along New Street.
- 1.4 The Hunton site represents one of the poultry sites managed by Whittern Farms Ltd, the others considered relevant being those based at Nextend Farm and Brook Farm.
- 1.5 Planning permission is sought for the extension of two existing poultry units (approved in 1995) and the extension of the site with two additional units, bringing the total number of buildings at the Hunton site to 6. The proposed extensions to the existing units would be 33.5 metres in length and the new units would be some 106.5 metres long by 18.8 metres wide with a height to the ridge of approximately 4.6 metres. The proposal would increase the capacity of the Hunton site to a total of 172,665 birds housed compared to 93,660, taking into consideration the requirements of new legislation (FAWC Codes of Practice and the Welfare of Farmed Animals (England) Regulations 2000), an overall increase of 60,263 birds.

- 1.6 The application has been accompanied by an Environmental Assessment as required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and incorporates a survey and report prepared by the Herefordshire Farming and Wildlife Advisory Group Ltd. This report covers landscaping, ecological and general management recommendations.

2. Policies

Hereford & Worcester County Structure Plan

Policy CTC 2	Areas of Great Landscape Value
Policy CTC 3	Nature Conservation
Policy CTC 6	Landscape Features
Policy CTC 9	Development Requirements
Policy CTC 11	Trees and Woodlands
Policy CTC 12	Improving Wildlife Value
Policy A1	Development on Agricultural Land
Policy A3	Agricultural Buildings
Policy A5	Intensive Food Production Units

Leominster District Local Plan (Herefordshire)

Policy A1	Managing the Districts Assets & Resources
Policy A2 (D)	Settlement Hierarchy
Policy A6	Sites of Local Importance for Nature Conservation
Policy A8	Improvements to or Creation of Habitats
Policy A9	Safeguarding the Rural Landscape
Policy A10	Trees and Woodlands
Policy A12	New Development and Landscape Schemes
Policy A13	Pollution Control
Policy A14	Safeguarding Water Resources
Policy A16	Foul Drainage
Policy A24	Scale and Character of Development
Policy A42	Intensive Livestock Units
Policy A54	Protection of Residential Amenity
Policy A70	Accommodating Traffic from Development
Policy A28	Development Control Criteria for Employment Sites
Policy A35	Rural Employment and Economic Development

Herefordshire Unitary Development Plan (Deposit Draft)

Policy S1	Sustainable Development
Policy S2	Development Requirement
Policy S4	Employment
Policy S6	Transport
Policy S7	Natural and Historic Heritage
Policy S10	Waste
Policy DR1	Design
Policy DR2	Land Use & Activity
Policy DR3	Movement
Policy DR4	Environment
Policy DR9	Air Quality
Policy DR13	Noise
Policy E6	Expansion of Existing Businesses
Policy E8	Design Standards for Employment Sites
Policy E11	Employment in the Countryside
Policy E13	Agricultural and Forestry Development

Policy E16	Intensive Livestock Units
Policy LA2	Landscape Character and Areas Least Resilient to Change
Policy LA6	Landscape Schemes
Policy NC1	Nature Conservation and Development
Policy NC4	Sites of Local Importance
Policy NC8	Habitat Creation, Restoration and Enlargement

3. Planning History

3.1 Hunton Site

95/0759/N - Erection of 2 poultry houses, low profile feed silos and ancillary works - Approved 10 November 1995.

Next End Farm

95/0760/N - Erection of one additional poultry house, low profile feed silos and ancillary works - Approved 10 November 1995 (not implemented and now lapsed).

Brook Farm

96/0879/N - Erection of 2 additional poultry houses, low profile feed silos and ancillary works - Approved 7 January 1997.

93/104 - Erection of 1 additional poultry unit, low profile feed silos and ancillary works - Approved 5 May 1993.

91/554/ - Erection of 2 poultry houses, hygiene room and ancillary works - Approved 5 March 1992.

4. Consultation Summary

- 4.1 Environment Agency raise no objection and indicate that any waste excavation material or building waste generated should be disposed of in accordance with Section 34 of the Environmental Protection Act 1990, appropriate pollution prevention measures have been taken, that washwater and foul waste should be collected, stored and disposed of in accordance with DEFRA requirements.
- 4.2 English Nature raises no objection commenting that the River Lugg SSSI/cSac is sufficiently distant so as not to be affected by the development and urges the Council to support the FWAG conclusions set out in the Environmental Statement.
- 4.3 Responses by internal consultees that raise material planning issues are summarised and considered in the Officers Appraisal.

5. Representations

- 5.1 Lyonshall Parish Council raise no objection.
- 5.2 Pembridge Parish Council (neighbouring parish council) comment :

'Pembridge Parish Council considers this to be a well planned development and that the associated landscaping arrangement will improve the countryside and wildlife habitat adjacent to the site. The Parish Council is in agreement with the application.'

5.3 At the time of writing two letters of objection have been received, one via email from Mr S Llewellyn and one from Mr & Mrs Price of 3 Lewiswyche, Lyonshall, Kington, together with a petition with 14 signatories (residents of New Street).

5.4 The concerns raised are as follows :

- existing road network is unsatisfactory
- too many lorries using local roads
- existing road too narrow with poor visibility in places
- potential for collision between private cars and HGV's
- visibility from New Street onto A44 poor and manoeuvring very hazardous
- vehicle movements along New Street cause noise and disturbance to residents
- fear of lorries colliding with property adjacent road
- ongoing damage to verges and ditches
- increased traffic fumes will cause pollution
- precedent for further expansion
- consideration of alternative route via Brook Farm should be given
- the area has reached saturation point so far as poultry house development is concerned
- destruction of drainage systems causes flooding in winter
- this form of development should be located on industrial sites

5.5 The full text of these letters can be inspected at Northern Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officers Appraisal

6.1 The key issues for consideration in the determination of this application are as follows :

- a) the impact of the proposal on the local highway network in terms of road safety and residential amenity;
- b) other environmental impacts associated with residential amenity (noise and odour associated with the site itself) and;
- c) landscape/ecological impact.

6.2 These broad headings have been set out to reflect the weight of concern from local residents and specific points where relevant to planning legislation will be set out in detail in the appraisal.

HGV Movements, Road Safety and Local Amenity

6.3 It is clear from the responses received from local residents that both the current and projected weight of HGV traffic associated with the Hunton Farm site and other poultry sites in the locality is a major cause for concern. This impact is recognised in the accompanying Environmental Statement which provides details of the comparative traffic movements having regard to the expansion proposals and the requirements of new legislation which seeks to reduce stocking levels.

- 6.4 The information provided breaks down as follows:
- a) vehicles serving existing Hunton site (previous legislation) 262 vehicles per annum, average 5.0 vehicles/week.
 - b) vehicles serving existing Hunton site (new legislation) 222 vehicles per annum, average 4.2 vehicles/week.
 - c) vehicles serving proposed Hunton site (new legislation) 415 vehicles per annum, average 7.9 vehicles/week
- 6.5 In road safety terms, the advice received from the Transportation Manager, is that the predicted uplift in HGV traffic of 3.7 movements per week, would not result in such a harmful increase so as to represent a significant threat to road safety. Notwithstanding this, negotiations have been undertaken to seek to address the concerns of local residents. The approach has focused on seeking to identify alternative routes for poultry related traffic in order to reduce the level of traffic using New Street and its junction with the A44.
- 6.6 It should be reiterated that these negotiations have taken place on the basis of an attempt to improve the general living conditions of local residents associated with noise and disturbance caused by HGV traffic. Constraints upon the existing local road network mean that the only feasible alternative route would be via the private road serving the Brook Farm site. The section between New Street and Brook Farm was upgraded under the requirements of Planning Permission 91/554. A permission for further expansion at Brook Farm was granted under reference 96/0879/N which specifically precluded the use of the existing farm access direct from Brook Farm to the A44, the junction being adjacent to a property known as Hope End.
- 6.7 It is this stretch of private road, which combined could form an alternative route for HGV traffic, having the effect of reducing movements along New Street but conversely increasing vehicular activity adjacent to Hope End. It is advised that the existing junction with the A44 adjacent to Hope End offers better visibility than is the case with the New Street/A44 junction.
- 6.8 The reduction in HGV traffic using New Street associated with this alternative routing has proven difficult to quantify but the applicant has confirmed that it would clearly offer the opportunity for all HGV traffic associated with Brook Farm to use the alternative route. Furthermore it could facilitate the use of this route for feed, bedding and fuel deliveries as well as bird collection by vehicles servicing the Hunton site and other sites owned by Whittern Farms Ltd.
- 6.9 In setting out these obvious benefits, your officers advice is that these negotiations are founded wholly within the applicants' willingness to accept a condition requiring the upgrading of the section of road between Brook Farm and the A44. It is not considered that the local planning authority can reasonably insist upon such a condition having regard to the predicted increase in traffic associated with the Hunton site. Other material considerations in reaching this view are as follows:
- a) reduction in stocking levels and thereby vehicle movements associated with new legislation at the existing poultry sites managed by Whittern Farms Ltd and
 - b) the existence of the restrictive condition precluding direct access from Brook Farm and the A44 adjacent to Hope End.

- c) no objection to the proposal from the Head of Environmental Health and Trading Standards.
- 6.10 Overall therefore your officers advice is that the refusal of this particular application on the basis of HGV traffic movements both in terms of highway safety and local amenity would not be warranted.

Other Environmental Impacts (Residential Amenity)

- 6.11 The noise aspects of the current and proposed operations of the Hunton site are detailed in the accompanying Environmental Statement and it is advised that no objection has been received from the Head of Environmental Health and Trading Standards in respect of the proposal.
- 6.12 It is considered that the relatively isolated location of the site and its orientation to the north west of the nearest residential property is such that noise from on site operations would not materially impact upon local amenity.
- 6.13 Odour emanating from the site is not specifically addressed in the Environmental Statement on the basis that the existing operation has not generated any formal complaints and in an area characterised by the presence of other poultry units it would be very difficult to attribute any measurable impact associated with this particular expansion proposal.
- 6.14 Details relating to the regime for dealing with waste and bedding litter are in line with legislative standards and are considered acceptable in terms of minimising impact upon residential amenity.
- 6.15 In summary therefore the proposal is considered to satisfy the terms of Policy A54 of the Leominster District Local Plan (Herefordshire) in so far as it would not significantly harm the residential amenities of the occupiers of existing neighbouring properties.

Landscape/Ecological Impact

- 6.16 The Hunton site was identified in pre-application discussions as being the preferred option for expansion in terms of landscape impact. It occupies a low lying and relatively inconspicuous location that is not readily visible from public vantage points either close to or in longer distance views from the east. It benefits from a mature landscape context defined by trees and hedgerows to the north, south and west and accordingly no specific objection has been raised by the Chief Conservation Officer subject to the imposition of conditions relating to the design of the earth bunding around the extended site and embracing the recommendations set out in the supplementary report provided by the Farming and Wildlife Advisory Group Ltd.
- 6.17 With the imposition of appropriate conditions as set out in the recommendation below it is not considered that this proposal would have an adverse impact on the character and appearance of the Area of Great Landscape Value and would therefore satisfy Policy A9 of the Leominster District Local Plan (Herefordshire).
- 6.18 Turning to the presence of the Special Wildlife Site immediately to the north of the application site, no objection has been raised to the ecological implications of the proposal. Implicit in the scheme as proposed is the endorsement of the recommendations made by the Farming and Wildlife Advisory Group Ltd. This will involve the creation and protection of a 6 metre strip between the development and the

Special Wildlife Site, the sowing of a small triangle of grasses and perennial flowers, the sowing of a one acre block of wild bird seed and the planting of trees and shrubs on the proposed embankment. The provision and ongoing maintenance of this landscaping scheme together with the other recommendations set out in the recommendation would ensure that no adverse impact would accrue in respect of the nature conservation interest of the Special Wildlife Site.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

1 - A01 (Time limit for commencement (full permission))

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2 - A06 (Development in accordance with approved plans) (drawing nos. 5028, 5028/2 (elevations and cross sections)).

Reason: To ensure adherence to the approved plans in the interests of a satisfactory form of development.

3 - B10 (Details of cladding (agricultural and industrial buildings)

Reason: To minimise the visual impact of the development.

4 - No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall include :

a) indications of all existing trees and hedgerows on the land, together with measures for their protection in the course of development

b) the design and contouring of the bunding around the extended site.

c) a detailed schedule of the proposed planting in respect of the bunding, the grass and wildflower meadow and wild bird seed meadow including description of species and planting numbers.

Reason: In order to protect the visual amenities and enhance the ecological value of the area.

5 - G05 (Implementation of landscaping scheme (general))

Reason: In order to protect the visual amenities of the area and enhance the ecological value of the area.

6 - No development shall take place until a scheme for the adequate protection of the adjacent Special Wildlife Site during the course of construction has been submitted to and approved in writing by the local planning authority and implemented in accordance with the details approved.

Reason: In recognition of the nature conservation interest of the adjacent Special Wildlife Site.

- 7 - Upon completion of the development hereby approved, the six metre wide margin between the site and the adjacent Special Wildlife Site shall be left to regenerate into scrub in accordance with the recommendations set out in the Herefordshire Farming and Wildlife Group Ltd report received by the local planning authority on 8 May 2003. This area shall thereafter be maintained as a permanent extension to the Special Wildlife Site.

Reason: In recognition of the nature conservation interest of the adjacent Special Wildlife Site.

- 8 - The management systems relating to noise control and the treatment of bedding litter and other waste shall be carried out in strict accordance with the details and specifications set out in the Environmental Statement received on 8 May 2003 unless otherwise agreed in writing by the local planning authority.

Reason : To safeguard the amenity of the area.

- 9 - H05 (Access gates) 10 metres

Reason: In the interests of highway safety.

- 10 - H13 (Access, turning area and parking)

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

Note to applicants :

- 1 - HN01 - Mud on highway

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.