

7 DCSW2009/0091/F - REPLACE SEVEN AGEING POULTRY UNITS (IN TWO DIFFERENT LOCATIONS ON THE FARM) WITH FOUR MODERN POULTRY UNITS, COURT FARM, MUCH BIRCH, HEREFORD, HEREFORDSHIRE, HR2 8HT.

For: Mr M. Green per Mr R Williams, Adas UK Ltd, 11D Milton Park, Milton, Abingdon, Oxford, OX14 4RS.

Date Received: 15 January 2009

Ward: Pontrilas

Grid Ref: 50198, 30079

Expiry Date: 16 April 2009

Local Member: Councillor RH Smith

1. Site Description and Proposal

- 1.1 The application site is on the southern side of the A49(T) located along an adopted road (u/c 71606) which runs between St. Mary's Church and the recently extended doctor's surgery and the Community Hall. A track starts close to Court Farm and then leads south past a fruit packing plant and southward along the line of a public footpath.
- 1.2 The proposal is for the erection of four poultry units each one being 110.7 metres long and 18.3 metres wide, 2.3 metres to the eaves and 3.9 metres to the ridge. These four buildings will be erected in two separate pairs some 245 metres apart. There will be a control room between each pair measuring 5 metres by 3 metres in floor area. The roofs will be covered in box profile polyester coated steel sheeting coloured slate blue and the same material will be coloured a goodwring grey on the gable ends and flank walls. The two feed bins for each pair will be just over 2 metres higher than the 3.7 metres high roofs on the western most site. The proposal would entail the demolition of the existing seven poultry units
- 1.3 The enterprise is split into distinct areas, one in the north-west and one in the south-east. Two existing poultry units will be demolished in the north-west and replaced by two of the four proposed poultry units. The existing blockwork and profile sheeted buildings are aligned in a line east to west. The two new units will be aligned parallel to one another, the northern most unit covering part of the site of the existing older poultry units. There is an existing fall in land of approximately 2.5 metres at this point, the two existing units being cut into the sloping ground which inclines northwards towards houses to the west of St. Mary's Church at Much Birch. There is an established line of trees on this northern boundary broken by the five tall feed hoppers. The removal of these silver coloured feed hoppers will reduce the impact of the units from the north and north-east.
- 1.4 The second site for the two new poultry units is further to the south-east adjoining the boundary with Treberva Fruit Farm to the east. This boundary is well defined by trees and hedges particularly to the north-east of the application site. It is proposed to erect the two new buildings immediately to the east of five existing poultry units. Four were granted planning permission in 2004 (reference DCSW2004/1766/F). The four existing units house 124,000 birds in total. These existing units have been cut into the land. The two proposed units will be on relatively level ground. The five buildings which will

be demolished are immediately to the north of this part of the application site and are sited between the aforementioned double line of trees constituting the eastern boundary of the applicant's property with Treberva Fruit Farm. On the western side is an area of arable land which is fringed by hedging and trees on the northern and western boundaries. A line of birch trees has been planted on the southern side of the four recently erected poultry units.

- 1.5 This planning application was accompanied by an Environmental Statement which was supplemented by further details relating particularly to issues of noise, odour and landscape impact, waste and dust and traffic generation associated with the four new units which are larger than the existing poultry units.
- 1.6 There are presently 307,000 broilers housed in the 11 poultry units on the site. There will be no more than 305,000 in the eight broiler houses that would result in the event of the four new broiler units being approved. The seven units replaced have a total floor area of 8,179 metres square (88,062.71 feet square), they will be replaced by four buildings with a total floor area of 8,027 metres square (86,400). Each cycle is 65 days, females are removed after 38 days. There is a period of 1-2 weeks for cleaning out the buildings, resulting in an 8-9 week cycle.

2. Policies

2.1 Planning Policy Guidance and Statements

| | | |
|-------|---|--|
| PPS1 | - | Delivering Sustainable Developments |
| PPS7 | - | Sustainable Development in Rural Areas |
| PPG13 | - | Transport |

2.2 Herefordshire Unitary Development Plan

| | | |
|-------------|---|-------------------------------------|
| Policy S2 | - | Development Requirements |
| Policy DR1 | - | Design |
| Policy DR2 | - | Land Use and Activity |
| Policy DR3 | - | Movement |
| Policy DR4 | - | Environment |
| Policy DR6 | - | Water Resources |
| Policy DR9 | - | Air Quality |
| Policy DR13 | - | Noise |
| Policy LA6 | - | Landscaping Schemes |
| Policy E13 | - | Agricultural & Forestry Development |
| Policy E16 | - | Intensive Livestock Units |

3. Planning History

- 3.1 DCSW2004/1766/F Erection of four new poultry units - Approved 16.03.05

4. Consultation Summary

Statutory Consultations

- 4.1 The Environment Agency's response is awaited.

Internal Council Advice

- 4.2 Traffic Manager has no objections in view of the comparative size of the development in relation to the existing situation.
- 4.3 Environmental Health and Trading Standards Manager has no objections given that there would not be any significant noise, odour and waste issues. The new units should improve the current situation. The Environment Agency would enforce the IPPC regulations for these units.
- 4.4 Conservation Manager's comments are awaited.

5. Representations

- 5.1 In the Design and Access Statement that accompanied the application the following main points are raised:
- seven ageing poultry units not suited to modern standards of production efficiency, environmental protection, animal welfare and prevention of animal disease
 - also ageing units have poor energy efficiency given design, poor insulation and inefficient heating systems
 - to be sited next to 4 remaining units and west of existing units (1 and 2)
 - new units further away from dwellings than present units
 - impacts associated with noise and odour greatly reduced
 - each unit 18.29 x 109.73m, between each pair of units will be control room 3.05m x 5m in area
 - unlikely to change character of area, given they are of improved build quality, internal views in and around area restricted, also roadside hedging provides screening
 - main ventilation will be by tunnel ventilation by large fans in gable ends
 - units finished in box profile coated steel sheeting, fibreglass insulation with white steel liner sheeting.
 - access route remains unaltered
 - vehicular movements will not change.
- 5.2 In the Environment Statement the following other areas are addressed:
- odour likely to decrease. Higher insulation would result in less use of fans, thus less odour resulting
 - odours will be more dispersed
 - units much drier, than presently, drier litter emits fewer odours
 - also units further away from dwellings, as odour concentrations fall steadily at increased distances
 - noise: with better insulation less need for ventilation fans
 - less noise and further away from dwellings (noise from fans and filling feeding bins)
 - landscape: not in AONB, approximately 1.3kms to east. Impact minimal. No major earthworks, other than cutting into site
 - existing landscape character enhanced by shelter belts, infilling hedgerows and planting trees and native hedges on linear boundaries. Less intrusive feed bins than at present.

- ecology: proposed units located on arable grass fields which have been in recent cultivation, therefore of low ecological value. No trees or hedges are to be removed
- waste: manure is currently spread and/or stored on land farmed by applicant, who has 1012 acres available for spreading, within area recommended in Code of Good Agricultural Practice
- disposal of manure will be the same as currently. No incinerator on site
- washing down water would be stored in below ground tanks and spread onto land at Court Farm or taken away by approved contractor, there are no tanks fitted for wash down water for broiler units to be replaced
- archaeology: no sites within 2 kilometres of radius of site.

5.3 Much Birch Parish Council make the following observations:

“Application supported, however residents have expressed concerns regarding the height of the buildings.”

5.4 Five letters of representations have been received from the following:

Mr A & Mrs Wood, Newlands, Much Birch, HR2 8HT
 Mr G & Mrs S Snell, Treberva, Much Birch, HR2 8HU
 Mr N Snell, Treberva, Much Birch, HR2 8HU
 Mr & Mrs MJ Freeman, Ashfield, Much Birch, HR2 8HT

The following main points are raised:

- existing poultry units emit a low humming noise depending on wind direction is disturbing particularly at night. Trust new insulated buildings will deal with this
- could not traffic be directed onto B4348 at southern end of site
- pleased to see removal of 7 ageing units (does this mean demolition, will it be a condition? Timescale?)
- could units be re-built in future?
- close to our boundary. Better sited to west of existing 4 units or better still site new units to north-west
- intend developing farm buildings into a house for our son. Proposal could jeopardise this
- will ventilation system be as presently? i.e. side inlets with chimney fans
- have an issue with low level dust
- need a comprehensive landscaping/planting scheme to mitigate for vast roofs, silos and minimise associated noise
- could be more dust, given moisture will be reduced, as units will be run drier
- believe earlier scheme in 1990s bordering Treberva Fruit Farm was dropped
- appears to be no screening from our south windows. Also do not want to overlook two sets of buildings.

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

6. Officer's Appraisal

- 6.1 The main issues are considered to be the impact of the proposed development on the amenity of residents which covers such factors as noise, odour and dust, the impact that the four poultry houses would have in the landscape and finally the means of access serving the site and the traffic generated by the proposal.

- 6.2 Intensive food production units such as poultry units have certain legislative requirements placed on them, one of which is the requirement for an Environmental Impact Assessment (EIA) when the proposed development crosses a certain threshold. In this instance the number of birds that would be housed in the four poultry houses. This has been the subject of preliminary discussion as regards the scope of the EIA. The main issue related to the distances between poultry units and nearby dwelling, (usually defined as one not inhabited by an agricultural worker). This distance, which is notionally set at 400 metres, is referred to in Government advice in PPS7 and more pertinently in Policy E16 of the Herefordshire Unitary Development Plan. It advises that new intensive livestock buildings should be sited at least 400 metres from dwellings and other buildings used by non-agricultural workers given recognition that such livestock units can give rise to problems such as noise, smell, dust and other possible nuisances. The proximity of other existing livestock units would also have a bearing and the policy requires careful consideration of any proposals involving intensive livestock units within the 400 metre zone.
- 6.3 The siting for the new poultry houses adjacent to Treberva Fruit Farm together with the cessation of the five ageing units to the north of the site takes bird production further out of range of dwellings to the north and north-east, and is considered to be a benefit in this locality. The design and insulation of the new buildings together with the removal of seven ageing units across the site will also reduce noise emissions such as night time humming and generally improve the pre-existing conditions.
- 6.4 The two units sited close to the Treberva Fruit Farm boundary would be within 400 metres of a group of traditional stone buildings which the owners state they may wish to convert into residential use. These buildings are to the south-east of the proposed complex of five poultry units. This application, however, must be judged on its merits based upon the prevailing circumstances at this point in time and as such the potential use of these buildings, in the absence of any planning permission, cannot substantiate the refusal of this application. However, it is the officer's view that this proposal would not materially affect the suitability of these buildings for conversion any more than the pre-existing situation.
- 6.5 It is stated that the buildings will be run on a drier ventilation system given there will be less moisture in the new broiler units. Concern has been raised about the possibility of an increase in dust. However note should be taken of the Environmental Health and Trading Standards Manager who does not raise objections and advises that the environmental conditions as a result of this proposal will improve. This issue can, as for the previously approved application, be made the subject of a planning condition.
- 6.6 Odour has not been raised as an issue in representations received. The siting and design of the new broiler units together with the removal of the existing buildings will improve the environmental impact of 305,000 birds at Court Farm. The amenity of residents will be further ameliorated with the imposition of a condition, as previously, controlling the spread of litter generated by the four new poultry units. The extant condition requires that all litter is taken off the site properly sheeted and removed via the access onto the B4348 road. This necessary function is closely linked to the cleaning of buildings and a deodorising unit would be used as previously conditioned. Therefore, given the above, it is considered that the issue of dust, odour and litter (manure) management have been addressed in accordance with Policies DR4, DR6, DR13, E13 and E16 in the Herefordshire Unitary Development Plan.

- 6.7 With regard to the impact of the four buildings in the landscape. This is slightly complicated by the fact that the four buildings will be erected in pairs some 245 metres apart. The northern most pair are pushed further to the west but will still utilise the existing screening on the northern boundary of the site. The new buildings will also need to be screened from the east and south. This will assimilate the buildings into the landscape, and will reduce their impact from distant vantage points. The removal of the five existing feed silos will also assist in helping reduce the impact of the new development. The new feed bins are only two metres higher than the ridges of the 3.9 metres high buildings.
- 6.8 The two units adjoining the boundary of Treberva Fruit Farm need to be better screened and assimilated into the landscape. There is an existing tree screen along the boundary between the two properties, which is more substantial alongside the existing five units to be demolished and it is recommended that this planting should be strengthened. The colouration of the buildings will also assist, and a dark matt colour particularly on the roof will provide a darker silhouette when viewed from the south-east. Landscaping is needed on the southern, eastern sides in particular and native trees added to existing hedgerows as recommended by the Conservation Manager for the previously approved and implemented planning approval for four poultry units would be controlled by condition. It is not considered practical for these two units to be sited to the west of the five existing poultry units given the topography of the site. The proposal takes advantage of the natural land form as required by Policies E13 and E16 in the Herefordshire Unitary Development Plan and is ultimately considered acceptable subject to additional landscaping. It is also considered that siting these two units with the two poultry units to the north-west will result in greater impact in landscape terms given the proximity to the public footpath which divides the two sites.
- 6.9 The issue of traffic movements has been raised as regards the movement of larger vehicles. This was a matter raised with the previously approved and implemented scheme. It is anticipated that most of the traffic will leave the site at the southern access point onto the B4348. However this access point is not adequate for larger vehicles. It is considered that given there will be negligible, indeed probably no increase in traffic movements, this is not an issue which would warrant the refusal of the application.
- 6.10 It is considered that there are considerable benefits to decommissioning the seven ageing units and replacing them with new units in terms of better managing noise, dust and odour. The proposal involves the replacement of existing buildings and as such it is maintained that subject to control of use of materials and additional landscaping, the new units will cause no further harm to the landscape and furthermore there will be no net increase in traffic movements over and above pre-existing arrangements and as such the application is recommended for approval having proper regard for the information set out in the Environmental Statement that accompanied this application.

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 B01 (Development in accordance with the approved plans)**

Reason. To ensure adherence to the approved plans in the interests of a satisfactory form of development and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

3 C01 (Samples of external materials)

Reason: To ensure that the materials harmonise with the surroundings so as to ensure that the development complies with the requirements of Policy DR1 of Herefordshire Unitary Development Plan.

4 F02 (Restriction on hours of delivery)

Reason: To safeguard the amenities of the locality and to comply with Policy DR1 of Herefordshire Unitary Development Plan.

5 No litter from any of the proposed poultry houses shall be spread on any land at Court Farm. All litter shall be taken off the site properly sheeted and via the access onto the B4348.

Reason: To safeguard residential amenity.

6 I40 (Details of flues or extractors)

Reason: In the interests of the amenity of the area and to comply with Policy DR4 of Herefordshire Unitary Development Plan.

7 Details of any replacement incinerator, including the proposed siting, shall be the subject to the existing incinerator being permanently removed from Court Farm and shall be approved in writing by the local planning authority before the incinerator is first installed.

Reason: To safeguard residential amenity.

8 I32 (Details of floodlighting/external lighting)

Reason: To safeguard local amenities and to comply with Policy DR14 of Herefordshire Unitary Development Plan.

9 At times of cleaning out any of the poultry houses a deodorising unit, specifications of which shall be the subject of the prior written approved of the local planning authority, shall be sited down wind of the poultry units in order to lessen the potential for odour.

Reason: To safeguard residential amenity.

10 G10 (Landscaping scheme)

Reason: In order to maintain the visual amenities of the area and to conform with Policy LA6 of Herefordshire Unitary Development Plan.

11 G11 (Landscaping scheme - implementation)

Reason: In order to maintain the visual amenities of the area and to comply with Policy LA6 of Herefordshire Unitary Development Plan.

- 12** Before any of the poultry units are brought into use the seven identified poultry units and associated equipment including silos shall be decommissioned and all materials not to be used in the construction of the new buildings shall be permanently removed from Court Farm in accordance with details to be approved in writing by the local planning authority.

Reason: In order to define the terms to which the application relates in order to protect the landscape and the amenity of residents in the area by reducing the cumulative impact of intensive livestock units on Court Farm in accordance with Policies LA2, LA3, DR4 and E16 of the Herefordshire Unitary Development Plan.

- 13** I51 (Details of slab levels)

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site so as to comply with Policy DR1 of Herefordshire Unitary Development Plan.

Informatives:

- 1** N19 - Avoidance of doubt - Approved Plans
- 2** N15 - Reason(s) for the Grant of Planning Permission (to include reference to consideration of the Content of the Environmental Statement)

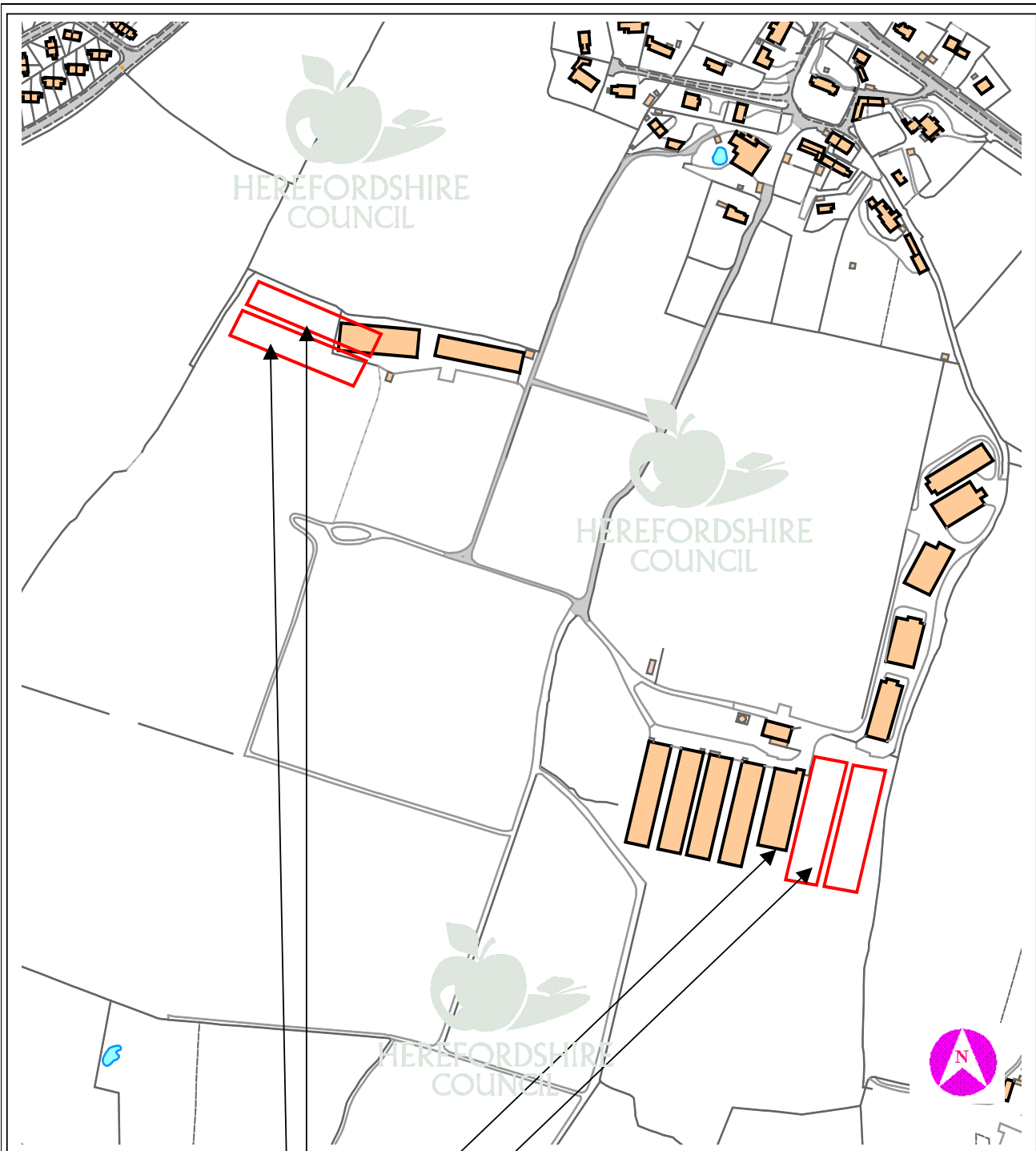
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCSW2009/0091/F

SCALE : 1 : 5000

SITE ADDRESS : Court Farm, Much Birch, Hereford, Herefordshire, HR2 8HT

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