

7 DCNW0009/1774/F - PROPOSED EXTENSIONS TO THREE POULTRY HOUSES AND ANCILLARY WORKS AT THE WHITTERN, LYONSHALL, KINGTON, HEREFORDSHIRE, HR5 3JA.

For: WHITTERN FARMS LTD per MR STEPHAN RAASCH, SUN VALLEY FOODS LTD, GRANDSTAND ROAD, HEREFORD, HR4 9PB.

Date Received: 8 July 2009

**Ward: Pembridge and
Lyonshall with Titley**

Grid Ref: 333341, 257617

Expiry Date: 30 October 2009

Local Members: Councillor RJ Phillips

1. Site Description and Proposal

- 1.1 The site consists of three intensive poultry units of mainly external timber clad construction located in open countryside surrounded by farmland in the control of the applicants that is presently under arable cultivation as soft fruit in the form of blackcurrants production.
- 1.2 To the south of the existing site is a small cluster of dwellings. These are located approximately 100 metres from the application site and are separated from the site by agricultural land in the control of the applicants.
- 1.3 The existing poultry units on site have been on site for 60 years and produce chickens for the meat industry.
- 1.4 The application proposes upgrade/refurbishment and extending the three separate poultry buildings in order to bring them up to current animal welfare standards and will result in an increase of 25,000 birds on site.
- 1.5 The application is accompanied by a planning statement which includes assessments on landscape impact, ecology report, transport assessment, environmental health issues and surface water drainage.
- 1.6 The applicants requested a Screening Opinion from the Council under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. This indicates that the proposed development did not require an Environmental Impact Assessment to accompany the application because the proposed development is outside the remit of schedule one development (in accordance with E.I.A. regulations) and although considered to be classed as Schedule 2 Part 1 (C) development (amount of floor space), the proposal falls below the threshold of circular 02/99-A41.

2. Policies

- 2.1 Herefordshire Unitary Development Plan:

S1	-	Sustainable development
S2	-	Development requirements
DR1	-	Design
DR2	-	Land use and activity
DR3	-	Movement
DR4	-	Environment
DR13	-	Noise
E13	-	Agricultural and forestry development
E16	-	Intensive livestock units
LA2	-	Landscape character and areas least resilient to change
NC1	-	Biodiversity and development

2.2 National Planning Guidance:

Planning Policy Statement 7: Sustainable development in rural areas

3. Planning History

3.1 None identified

4. Consultation Summary

Statutory Consultations

4.1 Environment Agency – No response received

Internal Council Advice

4.2 The Transportation Manager raises no objections.

4.3 The Environmental Health Manager raises no objections.

4.4 The Land Drainage Manager – no response received.

4.5 The Landscape Manager raises no objections providing a condition is attached to any approval notice subsequently issued in respect of additional landscaping in the form of screening to further enhance the landscape character of the site.

5. Representations

5.1 Lyonshall Parish Council object to the application stating:

“More detail should have been made available on the environmental impact of the development either through an E.I.A (Environmental Impact Assessment) or other documents.

The proposed combined extension are almost equivalent to a new, regular-sized chicken shed which would not normally received approval within such close proximity to dwellings.

The extra area proposed will generate in the region of 30 additional lorry visits per annum. An increase of heavy traffic on narrow lanes will exacerbate a problem that

has previously been drawn to the attention of Herefordshire Council. There will be a subsequent detrimental effect on the area in terms of noise, smell and traffic”.

5.2 Two letters of concern/objection have been received from:

- Chris and Trudy Froom, Corner House, Lyonshall.
- Nick and Jane Layton, Parkgate Farm, Lyonshall.

5.3 The letters can be summarised as follows:

- Concerns about extensions to existing buildings on site.
- Concerns about public highway access to the site and increase in vehicle movements.
- Object to lorries using public highway access to the site past the dwelling known as ‘Corner House’.
- Concerns about lorry wheels being washed and resulting water running down the public highway from the site.

Concerns about smells and flies within the locality.

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

6. Officer’s Appraisal

6.1 The Key issues of concern in respect of this application are:

- Amount of information available in respect of the application.
- Scale of the proposed development.
- Public highway access to and from the site.
- Amenity issues.

Amount of information available in respect of the application

6.2 The application did not necessitate an Environmental Impact Assessment to accompany is as referred to in paragraph 1.6 of this report.

6.3 However, the applicants did submit in support of their application information in the form of a Design and Access Statement, Landscape Impact Assessment, Ecology Report, Transport Assessment Surface Water Drainage Assessment and report on environmental health issues. This is in accordance with advice as set out by the Council in its screening opinion to the applicants, dated 25 March 2009.

Scale of the proposed development

6.4 The site consists of three separate poultry buildings set up during the 1950’s in accordance with information submitted in support of the application.

6.5 They have become out-dated and in need of refurbishment and improved energy efficiency in order to comply with current animal welfare standards and it is also proposed to increase the overall floor space of the existing units on site.

- 6.6 Therefore the applicants propose to increase the size of the three buildings on site. The two outer shed only very slightly on their northern gable elevation and the middle much smaller building much more, in order to bring it in line with the other two structures on site.
- 6.7 Therefore it is considered that the impact on the surrounding landscape will be minimal and the scale of the proposed development is thus considered acceptable.

Public highway access to and from the site

- 6.8 Local concerns/objections have been received in respect of impact on the adjoining public highway to the site.
- 6.9 The Transport Assessment submitted in support of the application indicates an overall total increase of vehicle movements on the adjacent public highway of 47 per annum. This equates to less than one additional movement per week.
- 6.10 It is noted that the Council's Transportation Manager raises no objections to the proposed development. Therefore the proposal is considered acceptable on public highway issues.

Amenity Issues

- 6.11 Concerns have also been raised about an increase in smells and flies surrounding the site as well as concerns about water from wheel washing running down the adjacent public highway from the site.
- 6.12 As noted in paragraph 1.2 of this report there are dwellings approximately 100 metres from the existing poultry units on site.
- 6.13 It is noted that the Council's Environmental Health Manager has raised no objections to the proposed development having no record of complaints from members of the public and any response from the Environment Agency will be reported verbally to members at Committee.
- 6.14 The applicants in support of their application have submitted a report on Environmental Health issues, the detail of which cover issues of concern as raised in the preceding paragraphs to which information as submitted is considered acceptable. Furthermore, the issue with regard to wheel washing can be addressed satisfactorily by the attachment of a condition to any approval notice subsequently issued.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**
- 2. C09 Details of cladding (agricultural and industrial buildings)**
- 3. All waste to be transported from the site shall be removed off site in covered containers.**

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

4. H21 Wheel washing

Development shall not begin until wheel cleaning apparatus has been provided in accordance with details to be submitted to and approved in writing by the local planning authority, and which shall be operated and maintained during and after construction of the development hereby approved. Details will also include the method of drainage from the site of the used water from the wheel washing of vehicles visiting/leaving the site.

Reason: To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of highway safety and to conform with the requirements of Policy DR3 of Herefordshire Unitary Development Plan.

5. G10 Landscaping scheme

6. G11 Landscaping scheme - implementation

INFORMATIVES:

1. N15 Reasons(s) for the Grant of Planning Permission

2. N19 Avoidance of doubt – Approved Plans

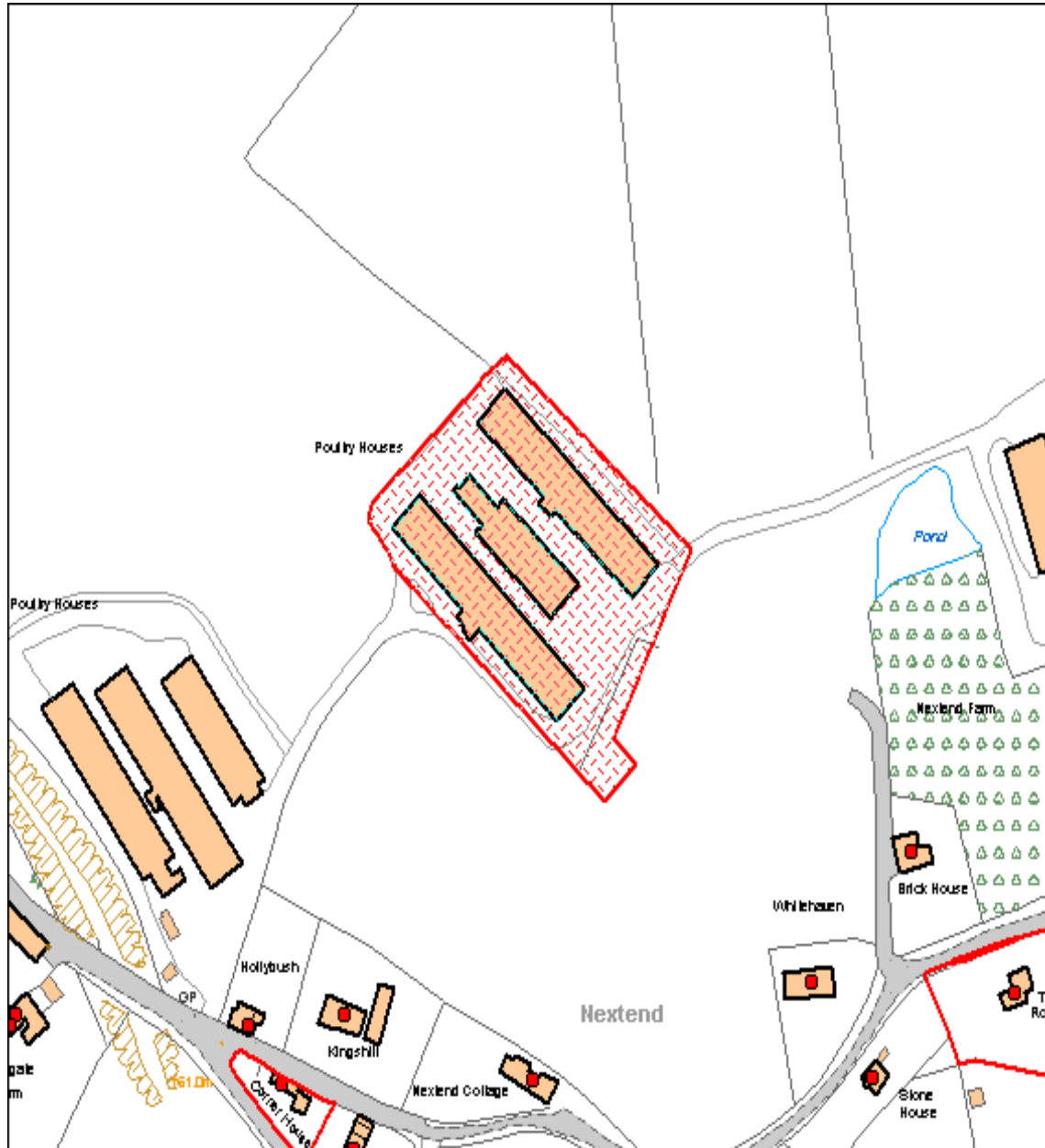
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DCNW0009/1774/F DMNW/091624/F

SITE ADDRESS : THE WHITTERN, LYONSHALL, KINGTON, HEREFORDSHIRE, HR5 3JA

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