

## **Development Management Committee**

**Wednesday 04 September 2013**

### **Late Observations Schedule**

#### **Schedule Items**

<b><u>Item</u></b>	<b><u>App No</u></b>	<b><u>Observations</u></b>
3	13/0293	<p><b><u>Additional neighbour comments</u></b></p> <p>Further comments from neighbours have been received expressing disappointment at the recommendation for approval of this application and asking whether the heights are in line with FBC's regulations.</p>
5	13/0319	<p><b><u>Additional Consultation Replies</u></b></p> <p><b>County Land Agent</b></p> <p><b>Introduction</b></p> <p>A planning application has been submitted by Mr Ian Pick of Ian Pick Associates Ltd on behalf of RG and JM Towers for the erection of two new detached poultry sheds. A site visit was made on 2 July 2013 whilst Mr Robert Towers, a partner in the business was present. The information provided at this meeting, together with written submissions, forms the basis of this appraisal.</p> <p><b>Background information</b></p> <p>I understand that the Towers family have farmed Bradkirk Hall Farm since the 1930s. I was informed that the business currently operates under the name of RG &amp; JM Towers, which is a partnership consisting of Richard and Jane Towers and their two sons, Robert and Benjamin.</p> <p>The applicant wants to erect two new chicken sheds in order to expand his business and make the unit more financially viable, therefore providing a greater degree of security for the continuation of the enterprise.</p> <p><b>Previous Planning Applications</b></p> <p>I note that Lancashire County Council Property Group has been consulted on three earlier applications at the site. Application number 98/537 was for the erection of a sheep building which has now been erected.</p> <p>Application 99/354 was for the removal of a dilapidated building and an extension to create a grain storage facility which was also granted permission.</p> <p>The final application LCC consulted on was a prior notification application, AG/08/0002, for the erection of a general purpose storage building for the storage of grain, straights and fertiliser. I understand that my colleague was supportive to this application as well.</p> <p><b>Agricultural land</b></p> <p>The applicant informed me that the unit extends to approximately 540 acres (218 hectares) of which approximately 400 acres (162 hectares) is owned by the family and located at Bradkirk Hall Farm. I was informed that the land rented</p>

includes approximately 35 acres (14 hectares) taken from a neighbour and approximately 62 acres (25 hectares) located in Westby. I was informed that the remaining land is located in the vicinity of the unit. I understand that the rented land is taken on a variety of informal agreements.

### **Agricultural enterprise**

A mixed agricultural enterprise, consisting of dairy, arable, beef and sheep is operated from Bradkirk Hall Farm. The principal agricultural activity undertaken from the unit is that of a commercial dairy herd, consisting of 136 milking cows with a further 35 in-calf heifers, 50 bulling heifers and further young stock. In addition to the dairy cows, the applicant has approximately 50 head of beef cattle which are bought in as calves and sold as stores at approximately 12 months of age. I was informed that with both the dairy and beef enterprises combined, there is a total of approximately 335 head of cattle upon the unit.

In addition to the cattle kept upon the unit, I was informed that the applicant has a flock of approximately 1,100 breeding ewes.

Of the 540 acres farmed by the applicant, I understand that approximately 214 acres (87 hectares) of arable crops are grown with the remaining land down to grass. The arable crops grown include 50 acres (20 hectares) of maize, 22 acres (9 hectares) of fodder beet, 35 acres (14 hectares) of winter wheat, 50 acres (20 hectares) of spring barley and 20 acres (8 hectares) of winter oats and 12 acres 5 (hectares) of wholecrop triticale. I understand that the remaining land is down to grass.

### **Agricultural buildings**

The buildings located upon Bradkirk Farm are a mixture of traditional and modern type design.

### **Proposed development**

The proposed development is for the erection of two new chicken sheds as shown within the plans submitted for the rearing of 100,000 broilers per crop (50,000 birds per shed) based on an all in all out system over a growing cycle of approximately 49 days. I understand that the applicant aims to rear 7 crops per year.

The applicant informed me that he wants to erect the proposed sheds in order to expand the family business, therefore creating a greater earning power to support the four drawings that are now taken from the business. The applicant believes that the proposed development will help provide a more realistic income for the partners whilst making the business financially secure.

The applicant does not consider that the farm's dairy enterprise is capable of being expanded, due to the difficulties in the dairy market, the grazing systems used and the existence of the Weeton Road, which I was informed has split the unit in half. He therefore wishes to expand the business in other areas.

In addition to creating a greater earning capacity, the applicant wants to diversify his operations with the view to creating greater security for the business.

I understand that the applicant has received a 2 year verbal offer from 2 Agriculture Limited to buy the birds produced from the proposed unit.

In regards to the siting of the two chicken sheds, the applicants put forward a

number of reasons for choosing the proposed location. The applicant considers that the siting of the development upon the existing unit, Bradkirk Farm, would not be suitable as the farm is within closer proximity of the village of Wesham and being in a far more prominent position than that proposed. In addition, the applicant wishes to separate the proposed poultry business from his remaining farm operations for bio security reasons.

The applicant considers the proposed site is sufficiently close enough to the main unit to make it functionally operational but is suitably far enough away from the main residential settlements in the area. In addition, the applicant considers that the site benefits from the topography of the surrounding land, which provides a degree of screening to the building.

### **Assessment**

I note that the proposed development is within an area designated as Countryside Area in the adopted Local Plan. Policy SP2 provides advice on development within countryside areas and states that one type of development permitted in this area is:-

**'That essentially required for the purposes of agriculture, horticulture or Forestry; or other uses appropriate to a rural area, including those provided for in other policies of the Plan which would help to diversify the rural economy and which would accord with SP9'.**

In addition, to the Local Plan paragraph 28 of the National Planning Policy Framework states that:

**Paragraph 28 - Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:**

- **support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;**

In considering the policies above, I consider the following points should be taken into account when assessing this application:

#### **1. The development is necessary for the purposes of agricultural.**

Whilst the proposed development is a move away from the current agricultural activities undertaken on the unit and is an entrance into a new sector of agriculture, it is my opinion that the proposal to rear broilers upon the farm is an acceptable use of the land and could be successfully run from the unit.

Having considered the current enterprise undertaken at Bradkirk Farm, whilst I do not consider that diversification in agricultural operations on the unit are strictly essential to the survival of the business, which is of a reasonable size and appears to have been operating successfully for a number of years, I accept that the addition of a new income stream would help improve the overall finances of the business and therefore improve the profit margins from which the four incomes are currently drawn.

I note that the applicants have a verbal agreement to supply their broilers to a

well known national firm for two years. Whilst, in my opinion, a formal, longer term contract would be preferable, I am aware that the demand for poultry meat is strong and the market is expanding. I therefore consider that the business would be viable with the applicant continuing to have a market for his product in the future.

In addition to the above, it is my opinion that the unit is capable of supporting the proposed development with the loss of land for the proposed site having little impact upon the remaining agricultural operations undertaken

The manure produced from the two sheds would be spread across the farm and would therefore reduce fertiliser costs for the business.

Based on the above, it is in my opinion that the proposed development is suitable and necessary for the purposes of agricultural upon the unit.

## **2. The design, scale and materials used for the buildings are appropriate.**

The two proposed buildings are purpose built structures and in my opinion, appropriate for their intended use. The materials proposed to be used are typical for this type of structure and are, in my opinion, acceptable.

When considering the size of the proposed development and the stocking levels to be kept within the building, I calculate the weight per m<sup>2</sup> as 39.5 kg/m<sup>2</sup>. This figure is greater than the levels stated in guidance such as DEFRA's 'meat chickens & breeding chickens, code of recommendations for the welfare of livestock', which recommends a maximum level of 34kg/m<sup>2</sup>. Based upon DEFRA's guidance, the size of the building is slightly less than recommended for the level of birds proposed per crop. Therefore, in order to comply with the recommendations, either the internal floor area needs to be increased or the number of bird per crop should be reduced. I would however highlight that the document quoted above is a recommendation only and the onus is on the producer to demonstrate that welfare is not compromised, whatever the stocking density and ensure that it does comply with Schedule 1, paragraph 9 of the Welfare of Farmed Animals (England) Regulations 2000 (S.I. 2000 No.1870).

## **3. Siting**

The siting of the proposed development would have to be in a greenfield site due to the size of the proposed buildings, however in general, I consider it unusual for agricultural buildings to be situated away from the main farmstead. The applicant has however provided a number of reasons for the proposed location as set out above.

In terms of management, whilst the proposed location of the building will make the running of the site slightly more labour intensive due to its separation from the main unit, given the type of operations undertaken and the way in which broilers are managed, any increase in management of the proposed development, based solely on its location in relation to the existing farm buildings, will, in my opinion, be small. In addition, given the relative proximity of the site to the main farmstead and the use of automated systems, I consider that emergencies at the proposed location site could be dealt with from the Bradkirk Hall Farm in a quick and adequate manner.

I note that the applicant has raised the issue of bio-security as one of the reason for separating the two buildings. Whilst I do not consider that the separation of the poultry enterprise from the remaining unit is essential in terms of

bio-security, I do accept that the removal of the broiler sheds and specifically the chicken manure would improve bio-security upon the unit, reducing the risk of cross contamination between chicken waste and items such as grain and straw/hay that are used within the cattle enterprise.

In addition to the above, it is my opinion that the topography and natural vegetation surrounding the proposed site would provide a higher level of screening to the building to that which is available at the main farmstead of Brackirk Hall Farm, although additional screening to hide the building could be included within a design.

Taking the above into account, whilst there are some benefits to the proposed site, there would also be some benefits to a site closer to the existing farmstead. Therefore, in my opinion, wider planning matters may need to be the determining factor as opposed to operational issues solely. Alternative Greenfield sites could be considered and the council must take into account the fact that should they be mindful to grant planning permission they will be creating the potential for further development at the site.

#### **Additional neighbour comments**

The following additional comments have been received from a neighbour who has previously commented on the application:

- there needs to be toilet and wash facilities in the workplace.
- these are not to be provided as the worker, who is also the applicant, can drive home.
- the Health and Safety Executive advise that it is a legal requirement for toilet/wash facilities to be provided in the workplace (workplace regulations - regulation 20 of the sanitary convenience).
- As numerous people will be working on site i.e. the single employee, vets, haulage contractors, future employees and also the cleaning contractors, toilet and wash facilities should be provided.
- the application has not been considered in its entirety and any approval will be in breach of HSE and the planning department are recommending approval to an application that is in breach of legislation.
- if the fans are to be used more than 50% at night then this will exceed the 5 dB increase in noise level as advised by FBC Environment Protection therefore we would expect there to be a Condition on any approval stating that no more than 50% of the fans can be running at night. If there is no Condition then what is there stopping 100% of the fans running at night?

#### **Officer Note**

Responsibility for meeting legislation relating to Health and Safety in the work place rests with the applicant and this is enforced by the Health & Safety Executive and so it is not considered appropriate to control the provision of washing and toilet facilities via planning legislation as alternative controls exist.

Condition 3 on the agenda papers requires the development to be operated in accordance with the "plant Noise Assessment report submitted with the application. It is considered that this will ensure noise emissions are at adequate levels for the location.

8      13/0364      **Additional condition**

17. Prior to the commencement of the development hereby approved, a scheme for the storage of refuse receptacles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the occupation of the first dwelling and maintained to the satisfaction of the Local Planning Authority.

In order to ensure a satisfactory standard of development.