

Date of Meeting	02/02/2017
Application Number	16/04956/FUL
Site Address	Longacre Farm Figsbury Salisbury SP4 6DT
Proposal	Proposed construction of agricultural trackway, pole barn for hen house, service link building, pole barn for rearing shed and feed bins, along with temporary stationing of mobile home, all in connection with free range egg production flock, with associated works
Applicant	Pitton Poultry
Town/Parish Council	FIRSDOWN
Electoral Division	WINTERSLOW – (Cllr Devine)
Grid Ref	419406 133596
Type of application	Full Planning
Case Officer	Andrew Bidwell

Reason for the application being considered by Committee:

The application has been called – in by Cllr Devine for the following reasons;

- **Scale of development**
- **Visual impact upon the surrounding area**
- **Relationship to adjoining properties**
- **Design – bulk, height, general appearance**
- **Environmental/highway impact**

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be refused.

2. Report Summary

This application is for the construction of an agricultural trackway running from the A36 Trunk road along the eastern edge of the site, pole barn type hen house and a rearing shed and service link building and associated feed bins. A mobile home will be located in the south eastern corner – Top of the site - behind the hen house. An independent agricultural consultant has assessed the need for the mobile home and has concluded that it is necessary meeting the relevant functional tests required. However, this is on the basis of an initial temporary consent and three years is recommended.

A substantial landscaped bund will be positioned across much of the front of the proposed buildings towards the top end of the site where it is reasonably level.

This application is for agricultural development on agricultural land in connection with free range egg production.

3. Site Description

The site is comprised of an agricultural field of approximately 2.7 hectares. The site is sloping with a relatively steep gradient from the A36 up to an existing mature belt of trees forming a 0.5 hectare copse running south west across the rear of the site.

The land is agricultural land Grade 3 and is currently uncultivated grass with some areas of scrub. In the south west corner is a collection of run-down buildings and debris left by a previous owner and in the north-west corner is a large soakaway constructed to improve drainage of the A36 trunk road.

There is existing vehicular access off the A 36 in the north east front corner of the site shared with access to a footpath.

To the west of the site is Warren Down Farm and further west is New Barn Farm. Both of these appear to be farm small holdings with a collection of agricultural buildings and land. Opposite the site are more small holdings/ farms including Longacre and Highfield Farm and all have a selection of various relatively large out-buildings. These properties together with some cottages are intersected by the access lane to Figsbury Rings from where the site is visible in the wider landscape.

The site is within an Area of Special Archaeological Significance and a Countryside Character Area (amongst other things)

4. Planning History

S/2008/0583	USE OF LAND & BUILDINGS FOR THE STORAGE OF BUILDING MATERIALS & EQUIPMENT
S/2005/0730	PROPOSED BUILDERS YARD
S/2007/1507	USE OF LAND & BUILDINGS FOR THE STORAGE OF BUILDING MATERIALS & EQUIPMENT
15/07758/FUL	Retrospective application for creation of car parking and turning area and the parking of 3 vehicles
15/07763/ADV	Retrospective application for the erection of three freestanding signs advertising eggs for sale
15/00220/ENF	Car Park for 'Eggs for Sale' business

5. The Proposal

The proposal is to expand the present flock of egg producing hens managed under a free range operation. The present small flock has been brought onto the holding by the applicant from his previous enterprise. The flock is contained on part of the agricultural land and at night is accommodated in a mobile 'hut'. Legislation requires that the flock is attended on a daily basis for management and inspection, but also egg collecting and generally ensuring that the welfare of the flock meets the required standards.

Pole Barn Hen House:

Although the agricultural land, excluding the tree belt, is approximately 2.16 hectares (5.33 acres), in order to give maximum grazing area for the flock, approximately 1.32 hectares (3.26 acres) will be dedicated for the free range area; therefore the buildings will be to the top of the site.

The design and proportions of the hen house are controlled by EU Regulations as regard stocking rate, scratching area, perches, etc and it is considered the proportions of the building meet those standards.

The construction will be as a pole barn, with single skin cladding to roof, extending over to form a rain shield to the area directly in front of the exit doors and in the position as indicated is considered to be adequately screened to the south by the established tree belt.

Within the hen house will be the nesting boxes, perches and a conveyor belt for egg removal and this will lead through into the service link.

The pole barn type construction is adaptable and therefore is a common structure on agricultural holdings for in-house rearing, but in this instance, the flock leave the building during the day to graze the pasture.

Service Link:

With a free range flock or any egg producing enterprise, any unnecessary disturbance to the flock must be avoided, as they can be quickly distressed and therefore will not lay. The proposal incorporates a service link building attached to the hen house, where all human activities will take place. The eggs will arrive in the service element by conveyor, where they will be collected, sorted, stamped and packed ready for despatch.

The service link also accommodates a changing area and toilet facilities for staff, together with a despatch and delivery lobby area. Access to the hen house is achieved by a personnel door. Attached to the service building is the pole barn rearing shed.

Pole Barn Rearing Shed:

The applicant intends to bring in day old chicks to the complex and rear through to sixteen weeks and therefore it is necessary for these young animals to be kept in a different environment to the main hen house.

The day old chicks will be raised under artificial lighting, which will be intermittently operated in order to acclimatise them to daylight/night light and then progress through to an open straw area, where eventually they will be let out for short periods, again to acclimatise to scratching. This building requires regular attention during day and night time, in order to ensure that immediate attention can be given should a hen develop infection.

The applicant intends to select appropriate replacement hens for the main hen house and these will be transferred to the laying house by a 'chicken race' to avoid handling and boxing, which will cause distress to the bird. The remainder of the young flock will be disposed of to other flocks, therefore giving a supplementary income.

Pasture:

The free range area will be sub-divided in order to give grazing recovery time and the reduced area could accommodate approximately 3,250 birds but the applicant proposes to manage a flock of approximately 1,000 birds and from that assessment the paddock is adequate.

It is the applicant's intention to gradually re-seed the paddock with a blended mixture that will produce good quality eggs and to eventually establish an organic free flock.

Feed Bins:

Two feed bins will be located to the south of the buildings for feed, which will be automatically fed into the hen house/rearing house for ad lib feeding.

Mobile Home:

In view of the investment put into the structural buildings for the complex and for the benefit of the livestock, the applicants consider it necessary to achieve a presence on site, particularly when the rearing shed is fully operational, as the day old chicks are susceptible to health issues from the stress of being boxed and moved, also any stress placed on the livestock by intruders will reduce their laying abilities.

It is therefore proposed to have a mobile home presence on the site for a period of three years, in order to prove the establishment and allow the enterprise to develop.

In this case the proposal is for two mobile homes to be positioned with a link - one for sleeping accommodation, the other for general living - and these will be located to the rear of the livestock housing, set against the woodland and in visible control of the access drive.

It is accepted that the occupation of the mobile home would be for person or persons employed on the complex.

The applicants state that without temporary accommodation on site, the rearing element is not considered feasible. This also applies with the main hen house, in order to comply with legislation on monitoring, etc, is necessary, particularly at night to ensure that the flock is housed; therefore presence on site would reduce the need to travel to and from the site for up to minimum six journeys per day.

Functional Test:

At present, the small flock is managed by several visits to the holding during the daytime and therefore there is no control when the applicant is not on site.

With a presence on site it is considered that the flock is protected, both from visitors and wildlife and particularly with regard to the rearing shed, the danger to day old chicks is the stress caused by handling, boxing and transporting onto the holding, therefore monitoring of the young stock is critical in order to prevent infection and the health of the young bird to suffer.

The acclimatisation of the young stock is important and although it can be automated to some extent, the reliance on the automation cannot be the sole factor as observation is just as critical.

As stated previously - see summary above - the functional test / demonstration of need for the mobile home to be on the site has been subject to independent scrutiny. An independent agricultural consultant has assessed the need for the mobile home and has concluded that it is necessary meeting the relevant functional tests required. However, this is on the basis of an initial temporary consent and three years is normal practice in this behalf.

6. Local Planning Policy

7. The following Core Policies of the Wiltshire Core Strategy are relevant to the determination of this application and are considered to align with the principles, aims, objectives and intentions of the NPPF. The following policies (amongst others) are therefore considered to carry significant weight.

Wiltshire Core Strategy:

CP 1: Settlement strategy

CP 41: Sustainable construction and low carbon energy

CP 48: Supporting Rural Life

CP 51: Landscape

CP 57: Ensuring high quality design and place shaping

CP 58: Ensuring the conservation of the historic environment

National Planning Policy context:

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) emphasises the importance of having a plan led planning system.

8. Summary of consultation responses

Firsdow Parish Council: Considered the application with resolve of Support Subject to Conditions with reasons being the Parish Council strongly recommends that appropriate signs are placed on both sides of the highway warning oncoming traffic of the access to the site. The Parish Council believes this is necessary because of the speed of the traffic and the proximity of the bend.

Archaeology:

No objections

Rights of Way:

No objections – conditions required to prevent blocking of footpath during construction

Highways Agency:

No objections

Landscape officer:

No objections subject to a condition requiring landscape planting plan.

Wiltshire Highways:

Initial view was unfavourable on highway safety grounds as officers did not have sufficient information regarding likely vehicle movements to offer an informed judgment. A request for a Transport Statement clearly detailing the size and frequency of vehicles likely to access the site as a result of the proposed uses was made and subsequently a Transport statement has been submitted and further comment received (see Highways Safety Issues below). Also the mobile home is considered to be located in a remote location and is contrary to highway and transportation sustainability objectives

Public Protection:

Initially further information was requested due to concerns being raised regarding how manure and fly control was to be dealt with. Having reviewed the further information submitted by the applicant it is apparent that they only propose to keep a 1000 birds on site, although they could accommodate for approximately 3000. If the flock of birds is kept at 1000 as they mention then there would be a low intensification of the site, which is unlikely to have an adverse impact on nearby residents. A manure disposal and fly management plan will be submitted by condition to agree best practice in this behalf.

Wiltshire Drainage: Support subject to conditions regarding surface and foul water disposal (see below).

9. Publicity

The application was advertised by site notice and neighbour consultations were carried out. In summary: 2 neighbour letters with comments have been received concerned mostly with visual amenity and highways safety issues and that the name of the business "Longacre Farm", is too similar to nearby property "Longacre" which is likely to cause confusion with deliveries etc.

The applicants have sought to directly address these concerns by providing additional information in the form of a Transport plan and amended plans which reduce the height of the feed bins by .5 of a metre and painting them as well as extending the bund and landscaping across the entire front of the building.

10. Planning Considerations

Principle of development:

Section 55 of the Town and Country Planning Act 1990 defines the meaning of development as the means of carrying out of building, engineering, mining, or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. The development plan accepts the principle of development subject to the aims and objectives of policy being met.

In this application the proposal is considered to constitute development which, due to the use of the building, the location and type of work proposed, is acceptable in principle subject to the development not conflicting with policy. The following parts of this report assess the proposal against relevant policy.

Site specific considerations and Visual amenity issues:

Policy requires new development to be sympathetic to local setting, maintain a high quality environment, protect, complement and enhance valuable contextual features and characters, reinforce a sense of identity, integrate into its surroundings and enhance the character of the locality.

The pole barn type structure is not alien to the landscape. Adjacent to the west is an agricultural building and further to the west, recent permission was granted for a dwelling in relation to a small equestrian enterprise and again further west, a collection of buildings, formerly a garage, together with a collection of buildings with alternative uses.

To the north of the application site spread on each side of the road leading to Figsbury Rings are residential dwellings, some with major outbuildings of agricultural nature.

The site is well screened from the south by an established copse, which will continue to be managed by the applicant. On each side of the bridleway, there is an established natural hedgerow which will remain.

In front of a collection of random buildings on the west boundary, an earth bank has been formed partly screening the new building from the north and regeneration has taken place on the bank. To protect the rearing shed and visually reduce the length of the building, it is proposed to extend the earth bund and landscaping back to the building, which will allow the hens direct access to the grazing paddock.

The colour of the cladding material will be critical and the choice will either be Anthracite (grey), Dark Green or Brown.

Figsbury Rings:

Figsbury Rings is subject to very significant statutory designation and therefore an assessment of the impact of the proposal – in this case on views from the designated site – is an important material consideration.

The elevation of the site is approximately 148 metres above Newlyn and the base around Figsbury Rings is approximately 135 metres and viewing from the upper ring towards the site, it is clear the tree belt, within the applicant's ownership, is an important feature. This combined with the earth bank and regeneration planting to the north of the proposed buildings, together with the selection of an appropriate colour to the sheeting, will ensure as far as is possible that the building can be absorbed into the countryside.

The remaining pasture to the north of the hen house will be sub-divided in order to give rest period for the grazing, but the applicant also proposes to plant orchard trees in order to encourage the flock to further roam and also to reduce the fear of attack from birds of prey.

Highway safety issues:

Highways officers have further considered the submitted transport statement and have remained of the opinion that the proposal should not be supported on highways safety grounds. Officers have stated the following as the final consideration based on all the available information submitted to date.

Referring to the Transport Technical Note received in response to the speed surveys:

“The access is located on the A30 where a 60mph (derestricted) speed limit applies. The road passing the site has a single broken white line meaning that overtaking may occur when it is safe to do so. The access is of single vehicle width and is classified as a bridleway; it has an appearance of a track with a loose surface material and informal junction radii. To access the track from the A30 requires a driver to slow down rapidly and turn slowly given that the junction is tight and there is little forward visibility up the track to check whether another vehicle is emerging.

With regard to the visibility at the access, the standards contained within DMRB are appropriate in this instance. The results of the speed survey demonstrate that on average vehicles are passing the site at around 59mph. It would therefore not be acceptable to allow a relaxation in the sight lines on a road of this nature. On that basis splays of 2.4m by 215m should be provided. I note from the Planning Statement that sight lines are within that required subject to appropriate verge maintenance, although the submitted drawing shows 2.4m by 145m (West) and 160m (East). It has not been demonstrated that adequate sight lines are achievable following the results of the speed survey.

It is acknowledged that the access exists and currently experiences a low level of vehicle activity. The proposal involves the expansion of the present flock of egg producing hens together with on-site residential accommodation. The vehicle activity in connection with this use passing through the access on a regular basis raises highway safety issues.

I regret that I am unable to support the proposal due to the limitations of the access and the associated highway safety concerns. I recommend that this proposal is refused on highway grounds for the following reason:-

The site is served by bridleway FIRS3 directly off the A30. Vehicles resulting from the proposed development entering and leaving the busy fast section of the A30 Class I road at a point where visibility from and of such vehicles is substandard, would endanger, impede and inconvenience other road users to the detriment of highway safety”.

Note to members: The applicants have provided a document in response to comments received regarding this proposal (Appendix 1). This document is accompanied by a plan which illustrates a further

improved visibility splay for the access to the site. This plan is subject to further consideration of the highways officer and a verbal update on this matter will be given at the meeting.

Other material considerations

Employment:

The applicants anticipate that this proposal will generate the need for one full time and one part time employee. The encouragement for new and the retention of existing Rural Employment is a key policy driver within the Wiltshire Core Strategy. It is important therefore to recognise the benefits to the local economy that developments like this bring and thus, the proposal is supported in this behalf.

11. S106 contributions – Conditions

In cases like this the planning inspectorate recommends the use of conditions to legally tie agricultural accommodation to specific agricultural businesses and not through S 106 agreements. Wiltshire Council has developed standard planning condition the meet legal planning tests. Should this proposal be supported, it is recommended that (amongst others) the relevant agricultural occupancy and temporary use condition are used in this case (see conditions).

12. Conclusion

For the reasons given above it is considered to be unreasonable to conclude that this proposal is visually incongruous in its context given that it is for agricultural development on agricultural land which, is not subject to any statutory designations that would otherwise prevent such development.

The proposal, by reason of its size, positioning and materials, would be sympathetic to the character and appearance of the site and, in turn, would relate well to the wider character of the area. Given the spatial characteristic of the near surrounding area, characterised by a range of existing dwellings small holdings farms and some industrial uses, many of which have a range of relatively large outbuilding, this proposal is not considered likely to result in any notable detriment to views from the Figsbury Rings designated site.

In terms of the impact that the proposal would have on the amenity of the occupiers of the nearest properties: Policy requires new development to have regard to the compatibility of adjoining buildings and uses, the amenity of existing occupants and the amenity of the occupants of the proposed development. The proposal, by reason of the relative distance from nearby properties, its size, material, proposed landscaping bund and positioning on the site and the subsequent possible views that may be had both to and from the site, would not materially harm the amenity of the occupants of existing buildings and uses to a demonstrably harmful extent.

On balance this proposal is not considered to be contrary to the aims and objectives of relevant local and national planning policy overall. That said, there remains to be a clear objection to the proposal on

highways safety grounds. Whilst a significant amount of traffic assessment work has been carried out to try and mitigate highways concerns raised, the findings of the work has not enabled Highways officers to support the proposal. Highways safety is a very weighty material consideration which in this case is considered to outweigh the presumption in favour of development contained within the development plan.

The application is therefore unacceptable from a Town & Country planning point of view.

RECOMMENDATION

Refuse for the following reason:

The site is served by bridleway FIRS3 directly off the A30. Vehicles resulting from the proposed development entering and leaving the busy fast section of the A30 Class I road at a point where visibility from and of such vehicles is substandard, would endanger, impede and inconvenience other road users to the detriment of highway safety”.

As such the proposal is considered to be contrary to the aims and objectives of Core Policy 62 “Development Impacts on the Transport Network” of the Wiltshire Core Strategy as the development does not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.