Wiltshire Council
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AGENDA SUPPLEMENT (1)

Meeting: **Northern Area Planning Committee**

Place: **Council Chamber - Council Offices, Monkton Park, Chippenham**

Date: **Wednesday 30 March 2016**

Time: **3.00 pm**

The Agenda for the above meeting was published on 22 March 2016. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Natalie Heritage, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line or email

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

7 **Planning Applications** (Pages 3 - 14)

Late Observations in relation to items 7a, 7b and 7c

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NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION

30th March 2016

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

Item 7a) 15/11618/FUL Cowage Farm Foxley

Additional Submissions

Local Residents/Objectors represented by an agent and consultant team have made submissions in respect or Transport; Landscape and Visual Impact; Environmental (Ecological/Smell/Contamination); and the Council's Screening Opinion. These were uploaded to the Council's website as of 24th March 2016 and so are not reproduced in full here. The submissions were also copied directly to members of the North Area Planning Committee.

Officer Response

With respect to Transport; Landscape & Visual Impact & Environmental Impact matters these are largely desk based assessments of the application submissions and Case Officer report to Committee and set out the professional opinion of the author in each respect. Officers have reviewed the submissions and do not consider that they raise new matters or provide new information that has not been considered and assessed by officers already as part of the application and as set out in the report to Committee. The submissions have been further considered by officers and it is not considered that the submissions result in any alteration to the assessment and recommendation of officers set out in the report to Committee except in one respect. The Public Protection Team has highlighted that their previous input as referenced at Page 24 of the report refers to Environmental Zone 2 as defined by the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light" 2012. This in fact should refer to Environmental Zone 1. Two additional conditions are recommended as a consequence and these are set out below but the position of no objection is not changed.

It should be noted that professional opinions do often differ. In this context attention is drawn to the consultation responses of key consultees such as the Environment Agency; Historic England and the Cotswold AONB Board who raise no objection to the scheme proposals.

With respect to the Council's Screening Opinion the Committee Report should reference The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015.

Furthermore the planning consultant for the local residents has suggested that, because the proposed facilities at Cowage Farm are designed to house 2,000 pigs, "the threshold in Table 1(c) of the EIA Regulations is exceeded". The threshold in Schedule 2 of the 2011 Regulations refers only to installations with new floorspace that exceeds 500 square metres.

As noted in the report, the Cowage Farm proposal exceeds this threshold so a screening opinion is required.

The indicative criteria to which the planning consultant is referring is actually set out in Planning Practice Guidance which suggests that intensive livestock installations that are "designed to house more than 2,000 fattening pigs" may have significant effects on the environment, and so could require an EIA. What matters is how many pigs the installations are designed to house, rather than how many they are intended to house. The proposals at Cowage Farm are designed to house a maximum of 2,000 pigs. As such the indicative criteria are not met because the installations at Cowage Farm are not designed to hold more than 2,000 pigs. In any event the officer report includes and assessment of the environmental effects as part of the screening opinion and regardless of the indicative criteria threshold concludes that the environmental impact were not considered to be likely to be so significant as to warrant an Environmental Impact Assessment to be undertaken. As such the Council's Screening Opinion remains as set out in the report that an Environmental Impact Assessment was not required.

The representations also suggest that consultation should have been undertaken with Natural England in relation to potential impacts on an SSSI some 4KM from the site. The Council's Ecologist was consulted on the proposals and raised no concerns in respect of ammonia contamination to SSSIs or nature conservation features in the locality and did not identify the need to consult Natural England which would be the normal practice.

Additional Conditions:

No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards (i.e. E1- Intrinsically dark) as set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

There shall be no burning whatsoever of any manure or materials associated with the keeping of pigs onsite at any time.

REASON**:** In the interests of the amenities of the area.

Point of Clarification

Malmesbury and St Paul Without Parish Council copied correspondence between themselves and a local resident to the case officer. This made reference to the report to committee identifying that the Parish Council supported the proposal when in fact the Parish Council raised no objection.

Officer Response

The report to Committee specifies at sections 7 & 8 that the Parish Council raised no objection.

Easton Grey Parish Council

Easton Grey Parish Council – OBJECT

- Routing and amount of HGV traffic
- Lack of consultation with Easton Grey Parish

Officer response

These matters are addressed in the report to committee.

Local Resident

A detailed letter of objection has been received by officers this morning 30/3/16 and this is copied in full as an attachment.

It has not been possible given the lateness of the submission to assess this submission in detail but it appears to raise similar concerns to those of other objectors and late representations. If necessary a verbal update will be given to members at the meeting.

7b) 15/10486/FUL Lower Woodshaw Brynards Hill Royal Wootton Bassett

The Environment Agency has confirmed that the information and details submitted by the applicant team has addressed their concerns and as such they have written to confirm that their holding objection is now withdrawn.

On this basis and as is set out in the report the Council's drainage officers confirm that their own objection is also withdrawn. There are therefore no objections or concerns in respect of drainage remaining.

7c) 16/01121/FUL Chuffs Lower Kingsdown Road Kingsdown

The agent for the applicant has submitted further representations to Committee members these documents are attached. These reiterate previous submissions and further query the assessment of extensions undertaken at the property. It is argued that the current proposals are a limited further extension over the existing property and that the case officer report sets out an unduly rigid interpretation of national policy and guidance in respect of development in the Green Belt.

Officer Response

The submissions do not raise any new matters which have not already been addressed in the report. The officer report to Committee undertakes the correct approach to the implementation of Green Belt policy in assessing the cumulative impact of extensions over and above the "original" dwelling.

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Wiltshire County Council Planning Department
Attn: Kate Backhouse
Monkton Park offices
Monkton Hill
Chippenham
Wiltshire SN15 1ER

By email to: developmentmanagement@wiltshire.gov.uk

25 March 2016

Dear Ms Backhouse,

re: Urgent objection to planning application 15/11618/FUL

As Wiltshire County Council moves to decide on the application to build a pig factory at Cowage Farm in Foxley, I am writing to respectfully submit comments in objection to the proposals.

The information provided in the application and associated documents, and the discrepancies therein, raises significant concerns or questions about the project that taken together are grounds for rejecting the application. These include:

With regard to water provision
It is unclear how water for drinking, cooling or cleaning will be provided to the facility. The Design and Access statement only mentions water in the budget, and only budgets for £500 per year, and while feed systems and storage are discussed, I cannot find any similar discussion of water provision. As such, there does not there appear to have been any consideration as to the potential impacts on other users or the natural environment of the increased demand such a facility will require, whether it comes from the mains or some other source.

The North Wiltshire Local Plan includes "awareness of water usage" in its considerations, as noted by the Landscape and Visual Impact Assessment, so the question needs to be put. This is particularly relevant as Wiltshire is not immune to drought,[1] and because pigs are notoriously water hungry, particularly in hot weather. The Council's own website states:

> "Scientific evidence shows that global warming is likely to intensify the water cycle, reinforcing existing patterns of water shortage and abundance. In the South West, we are set for wetter winters and drier summers, which will have significant implications for our water infrastructure."[2]

This makes the lack of detailed discussion of water seem a serious omission as it affects not only on the pigs' welfare, but also potentially the assessment of the viability of the project's budget. The concern is amplified by the agent's recognition that there are a number of similar units locally housing another 9,400 pigs, in addition to existing cattle and dairy operations.

This project cannot proceed until adequate ongoing water provision is clear and its impacts fully understood.

....con't

[1] BBC. "Drought may last until Christmas: Environment Agency." 16 April 2012. *The Mirror*. "Hosepipe ban: Key facts and figures about the drought." 12 March 2012.
[2] Wiltshire Council. "Climate Change – Water." Accessed via http://www.wiltshire.gov.uk/communityandliving/greeneconomy/gecoclimatechange/gecoclimatechangewater.htm

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With regard to waste management
I would echo what one commentator politely calls the "optimistic" nature of the applicant's assertions about odour, including that the waste generated will be "odour free" and that there will be no odour from the sheds because they will "ventilate naturally" and "air will be naturally filtered".

The applicant answers the question 7 on the application by stating there will be no "areas to store and aid in collection of waste". This does not appear to tally with the information provided elsewhere, which makes it clear that:

- "The buildings will be designed to contain all pig manure in a manure store at the far end of the building",
- There is "adequate storage" if spreading "is not possible for a few weeks",
- The odour management plan talks about a "storage tank",
- Even the Area Planning Committee's own report notes, "To the northern end of the building is a relatively small muck pad which will contain the manure before it is distributed on the applicants' land."

This appears to be waste collection and storage, so the basis for the response on the application form is unclear.

The traffic assessment says the project will only produce "one tractor journey per week", but this is an average. Other information says the pigs "will only produce one trailer load of manure per week, approximately 10 tonnes. Cleaning out will be four times a year, and each cycle will produce 10 trailer loads". This suggest that waste will be stored for three months at a time (see above on storage) prior to cleaning out, and it stretches the imagination to suggest that some 120+ tonnes of pig manure, some of it three months old, will be "odour free". It also suggests that the reality of the situation for residents will not be one tractor journey per week, but peak times of activity of 20+ journeys, presumably with accompanying smell and noise.

Other statements about waste management risk sounding cavalier. The applicant appears to suggest that keeping 200 pigs is an appropriate comparison to keeping nearly 2,000 pigs, and that "finishing pigs is not that different from finishing cattle". The applicant notes a lack of complaint from local residents historically, but this cannot be taken as satisfaction – it is equally legitimate to suggest that locals are not at all happy with what the current situation, or feel they cannot complain, and view any expansion of the problem most gravely, as their vocal opposition to the plans would support.

With regard to health impact on local residents
How pig waste will be managed is not the only impact local people are likely to face, and they have good reason to worry about such a facility on their doorsteps.

It is unclear if local residents have been made fully aware of the health impacts felt by other communities living near industrial factory meat farms. While this proposal may be smaller than some, communities in North Carolina living near pig factories suffer from respiratory problems, anxiety, depression, and sleep disturbances. Nitrates and other chemicals from factory farms do end up in surface and groundwater – health risks from excessive nitrate exposure include blue baby syndrome, disruption of thyroid function, and bladder cancer.[3] Dust particles and toxins from animal faeces, hair, feed, and dander, capable of travelling about six miles from industrial animal operations, can affect white cell blood counts and cause fever and respiratory illness in

[3] Food & Water Watch. "Factory Farmed Hogs in North Carolina". 2010.

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humans.[4] I cannot see any consideration here of dust other than as a potential odour vector, but as there is no air filtration system proposed, this must be considered.

In the UK the brunt of such impacts will be borne by the taxpayer through the public health system. As these risks are unnecessary, they cannot be acceptable.

With regard to the impact on the rural economy
Objections from local people about the potential impact on house prices are justified. A 2008 study in Iowa found that homes within three miles downwind of a factory farm achieved lower prices when sold.[5]

I would also echo comments raised by local people that the employment opportunities offered by the proposal are unclear, appear to be overstated and are probably not in the wider interest of the rural economy. The applicant answers question 19 on the application form stating that that the project will create work for three full-time equivalent *existing* employees, suggesting that there will be no job creation. Elsewhere it is suggested that one full-time job will be created, but also, "The care of the pigs will take one man, approximately 3-4 hours a day, the rest of the time will be made up by supporting the existing arable and cattle enterprises and as stated above." This is not three full-time jobs, but one part-time job.

While the jobs "created" by factory farms are often hailed as a boon to rural economies, in fact the net loss of employment more widely is rarely considered or given appropriate weight. The low level of employment associated with this proposal is in keeping with the experience of consolidation and industrialisation of pig farming in the United States, which shows clear negative impacts on farming economies, notably the vanishing family farm and all the associated employment and environmental stewardship it brings.

In less than two decades (1992-2007), the number of U.S. pig farms declined by 70 percent, from more than 240,000 to fewer than 70,000. The number of farms continued to drop to under 56,000 farms in 2012.[6] Meanwhile from 1997-2012 the average farm size swelled nearly 70 percent, while the number of pigs on factory farms grew by the equivalent of adding 3,100 pigs to factory farms *every day* for the past 15 years.[7] Looking across all U.S. farming, as the number of factory farms increased, rural employment declined. A 2003 study of nearly 2,250 rural counties nationwide found that counties with larger farms had lower levels of economic growth, suggesting that larger farms make smaller contributions to local economies.[8] Increasing employment is not normally a feature of businesses based on exploiting economies of scale.

None of this is inevitable or wise. I might question how much of the drive for expansion in fact stems from the convenience of companies like Stockcroft (noted to be the "largest producer in the country") and major multiple supermarkets, for whom dealing with fewer, larger operations is clearly an advantage. This project may well be viewed as an example of the U.S. experience of corporate pressure on individual farmers to "get big or get out," regardless of how much economic sense this makes. According to a new report the pig UK industry is already oversupplied, and demand is falling, so both retail and farmgate prices are collapsing and farmers are being driven out of business, something the Agriculture and Horticulture

[4] Institute for Agriculture and Trade Policy. "Concentrated Animal Feeding Operations: Health Risks from Air Pollution". 2004.
[5] Food & Water Watch. *Factory Farm Nation, 2015 Edition.* May 2015 at 23.
[6] Food & Water Watch, 2015 at 11.
[7] *Ibid*, p11
[8] *Ibid*, p24-5

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Development Board openly calls a crisis.[9] Increasing the supply of pigs in such a market is of questionable economic logic.

With regard to ecological impact
The applicant answers question 15 on the application form stating there are no hedges or trees on or adjacent to the site. This seems to be contradicted by information presented in subsequent correspondence that:

- "The roadside hedge is to be retained",
- "The tall hedge and ash trees are to be retained to the east",
- "All current trees on or near to the site will be retained",
- Natural England notes the presence of "mixed hedges incorporating mature
- trees, spinneys or small woodlands",
- The archaeological review notes the site is "bounded to the east by a substantial mature hedgerow containing a number of mature trees, and to the south by a hedge and trees lining the Foxley Road",
- The Area Planning Committee report even states that "there will be some loss of the hedgerow".

This appears to suggest there are indeed trees and hedgerows on and adjacent to the site, so the basis for the applicant's answer on the application is unclear. It is also unclear why a proper tree survey was not therefore required. Since it was not, it is difficult to understand the basis for the applicants answer to question 13 that there are no protected species, like bats, in the area that should be considered.

A number of these concerns might have been addressed had a proper Environmental Impact Assessment (EIA) been conducted, so it is regrettable that this was not required. Given that the number of animals proposed for the project is just short of the screening threshold, and given that it is within an Area of Outstanding Natural Beauty adjacent to an archaeological site, local people might be forgiven for wondering if the stocking level was designed to miss the threshold to avoid having to conduct an EIA or why the Council did not require one.

With regard to Council oversight
Local people should be able to understand what oversight the Council is exercising that will review the cumulative impacts of this proposal, other proposed developments (eg, Sutton Veny, Grittlton, etc) and the other large pig factories and cattle operations already in the area, particularly as an Area of Outstanding Natural Beauty should be accorded the highest level of protection. An *ad hoc* approach to approving such projects is not enough. The applicant may attempt to portray the project, as stated in the correspondence, as "not industrial in appearance" and that the method of production is "non-intensive", but the scale of the operation clearly is industrial. Among other things, a system that ensures the animals never go outdoors stretches the limits of what can be considered to "incorporate the principles of best practice animal welfare" to breaking point.

Considering the obvious level of well-informed public concern, reports that the site was not properly posted with the planning application information are worrying, as such information could reasonably have been expected to have raised even greater public objection. The Area Planning Committee Report merely says, "Concerns have been raised that the site notice was not *in situ* over the following weeks, however the Council cannot repeatedly visit sites to check that notices remain in place once erected," without indicating why, or if the Council has done

[9] Agriculture and Horticulture Development Board (AHDB). *The Current State of the UK Pig Market*. March 2016. AHDB. [Press release.] "Pig industry in crisis says AHDB pork report." March 2016.

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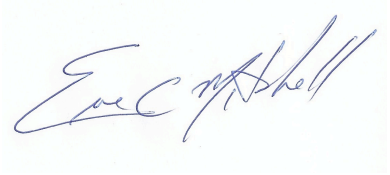
anything to determine when the notice was removed, why it was removed or by whom. This seems a remarkable lack of curiosity given the contentious nature of the project, the rights of locals to be consulted and the need to ensure anyone interfering with those rights is discouraged (at the least). The late inclusion of the adjacent Parish in the consultation is regrettable, particularly as they object, as is the decision that consulting residents there was "not feasible" given the known apparent removal of the posted notice.

Objection

There are inconsistencies in the information supplied by the applicant that raise serious questions about several aspects of the project. Much of the information concerned appears not to have been volunteered but was teased out during the course of the process, and the discrepancies between that newer information and what was provided previously is not explained. This does not instill confidence that the applicant has a sufficiently clear, robust plan in place for the project. Without a clear plan, the application cannot be approved.

Since the pigs reared in this facility will not stay in local area but will supply a much larger market, the farmer himself expands the legitimate interest in the project to include all of us who want to have a say in how our food is produced and the impacts farming has on our economy and environment. In light of all of the above, we respectfully object to the proposal and urge Wiltshire County Council to reject the application.

Sincerely,



Eve Mitchell
EU Food Policy Analyst

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Members of Wiltshire Council's North Area Planning Committee

Via email

Our reference: 1547.cb
Your reference: 16/01121/FUL

28th March 2016

Dear Councillor

Extension and Alteration to Annex, Chuffs, Lower Kingsdown Rd, Kingsdown near Box

I am writing to you in your capacity as a member (or substitute) of the Council's North Area Planning Committee.

The committee meeting scheduled for 30th March 2016 will be considering an application for proposal a modest extension proposal (7.2 cubic metres) to an existing annex.

This proposal will enable the applicant, who has been diagnosed with a critical illness, to move out of the principal house to the annex which has been specifically adapted to the meet the needs of Mrs Antrobus and her husband. The applicant's son, and his family, will move into the principal house. The proposal will enable Mrs Antrobus to remain at her home and be cared for by her extended family.

By way of background, we submitted an initial proposal as a pre-application enquiry. Following advice received from the planning officer the project architect reduced the size of the annex extension to the minimum possible, and a formal planning application was submitted.

The planning officer has recommended refusal. We do not dispute the volume analysis undertaken by the planning officer as we accept that the historic extensions that have taken place have exceeded the usual 30% rule of thumb increase over the 'original' volume that is applied in Green Belt locations. Accordingly, we acknowledge that the case for an extension to the annex must be made on a 'very special circumstances' basis to address Green Belt policy.

It should be noted that all development that has taken place on the site, as referred to in the planning officer's report, has been lawfully established. The proposed increase in volume represents an 8% increase in the volume to the existing annex. Having regard to these facts the applicant's 'very special circumstances' case is summarised below:

- **Personal circumstances and consequences of refusal**: the proposal will enable the applicant and her husband to remain living at her home with a critical illness in specially adapted accommodation with the support of her family, with her son occupying the principal house. Refusal will have severe consequences for the applicant and her family who will have to find alternative accommodation, and work out an alternative care regime, in very difficult circumstances. This will potentially create a greater burden on health care agencies – contrary to the views of the planning officer we consider that this is a legitimate material planning consideration.

- **Volume increase limited to functional need**: the proposed increase in volume represents the minimum increase in size required to meet the functional needs of the applicant including the provision of appropriate bathroom and bedroom accommodation.

- **Design betterment**: The proposal will present a more familiar vernacular form, through the removal of the unsightly UPVC conservatory. The replacement extension and existing roof will be clad in a pallet of natural and recessive coloured external materials. This will deliver a building of enduring quality with enhanced thermal performance.

- **Reduced landscape impact**: although the proposal represents a modest increase in overall volume (8% over the existing annex) the overall appearance of the annex when viewed from public vantage points will be less intrusive by virtue of its form and through the use of natural / recessive external materials. This will create a more visually harmonious building in the landscape. From public views the proposed increase in volume will not be discernible in the wider AONB landscape. This combined with the improved quality of design will outweigh the modest increase in proposed volume.

We submit that the planning officer has rigidly applied Green Belt policy and has not engaged with the 'very special circumstances' of this case. We believe that the 'very special circumstances', as outlined above, justify the grant of planning permission, and will not create an adverse precedent due to the unique circumstances of this case.

We respectfully request that members grant planning permission.

Yours sincerely

Chris Beaver
Director

T +44 7827 944638
E chris@planningsphere.co.uk

Cc:

- Mrs A Antrobus
- Cllr Sheila Parker

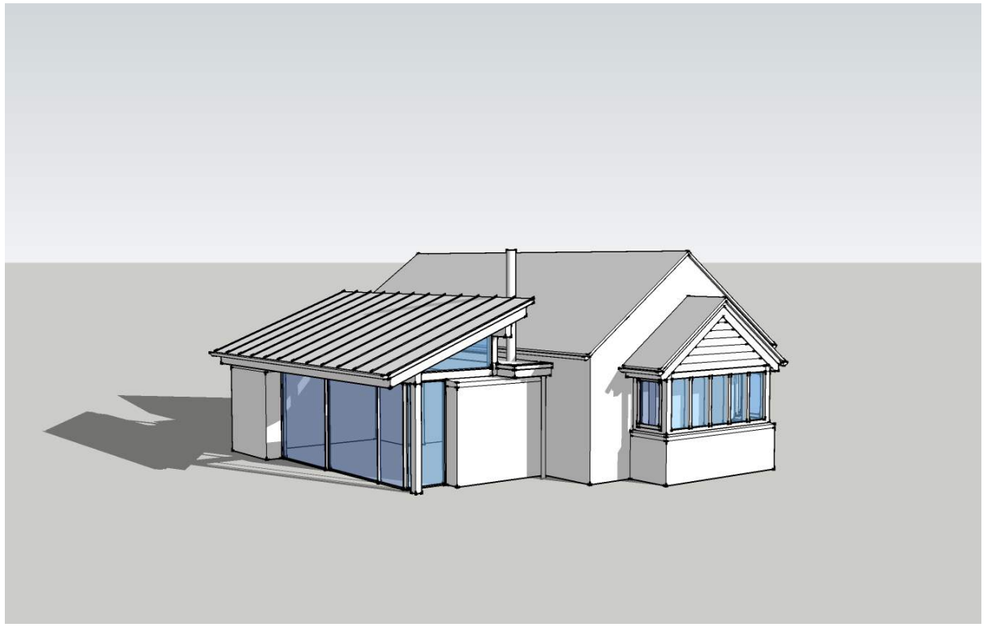

Fig 1, North-west

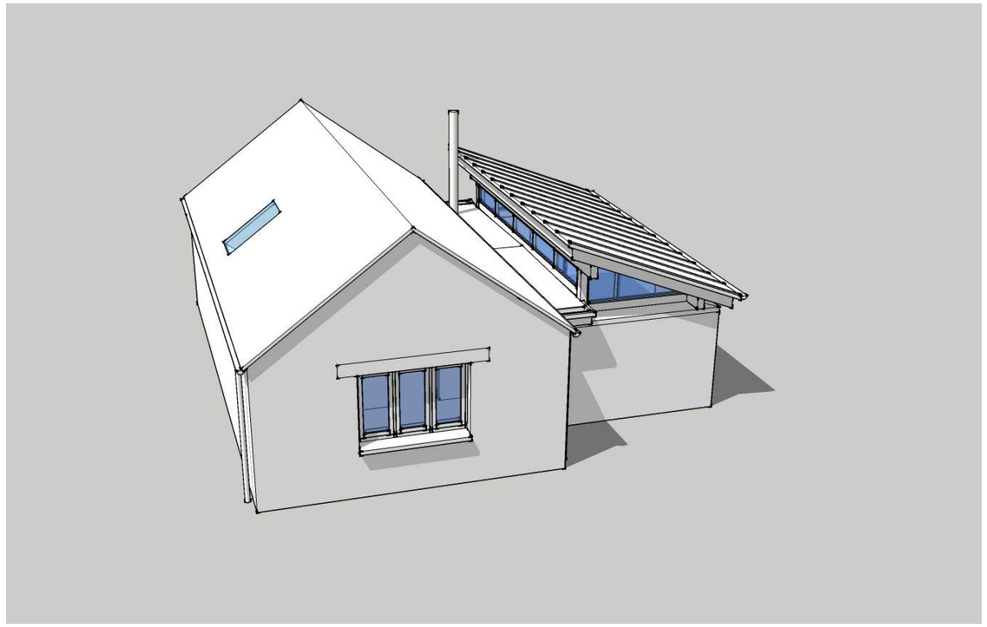

Fig 1, East

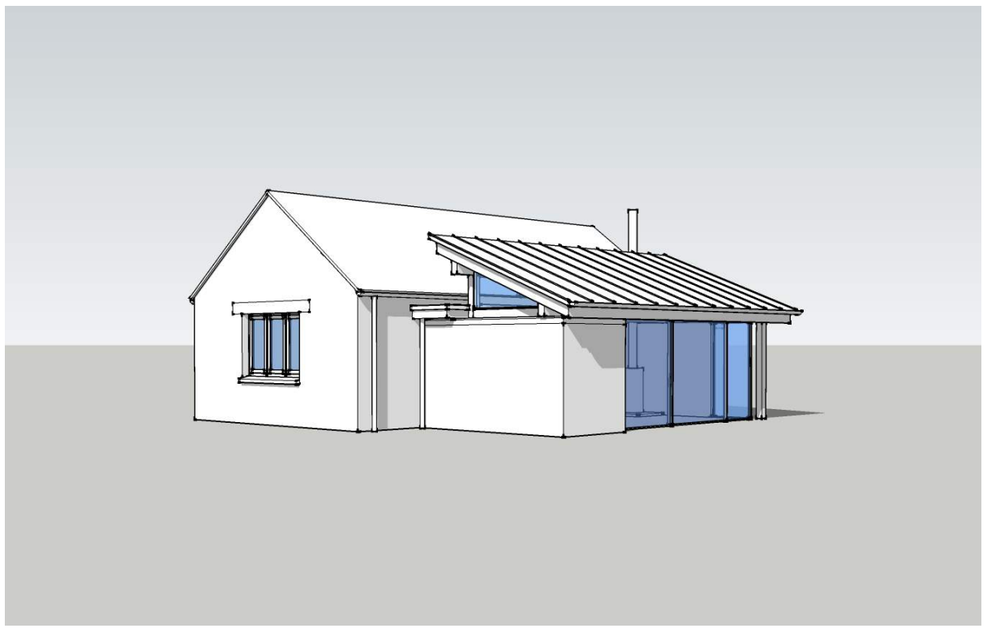

Fig 2, North-east

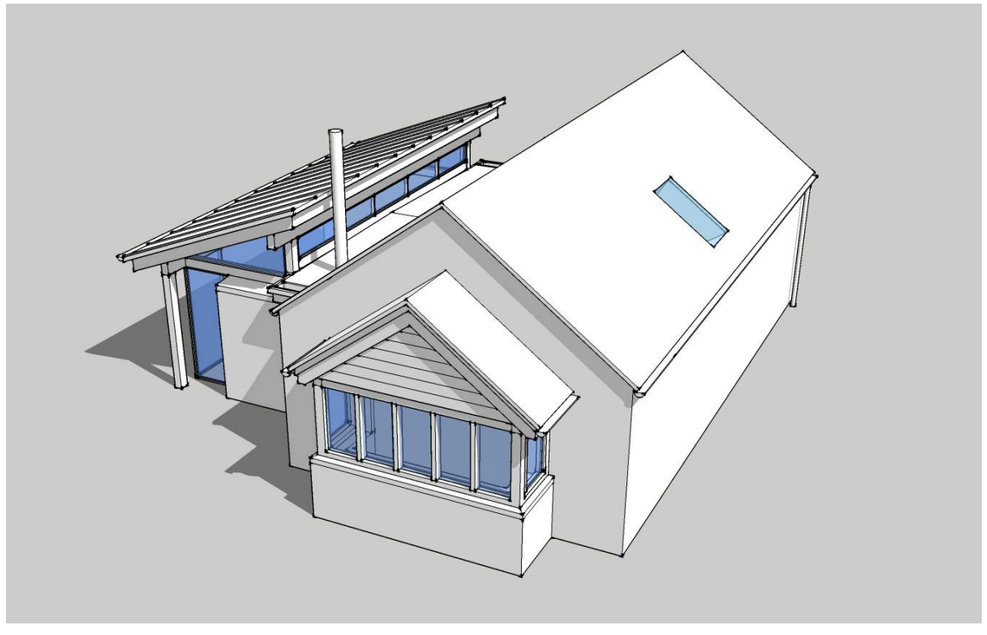

Fig 2, South-west

project

Chuffs Annex

Andrew Kenyon Architects

title

Proposed Model Views

date January 2016

scale NTS drg no 262-60

planningsphere

The Annex at Chuffs, Kingsdown, near Box

Photos 1 and 2: The existing Annex to Chuffs was converted in 2003, and is lawfully established.

It is proposed to demolish the existing unsightly and prominent conservatory and replace it with a new contemporary extension that will increase the overall volume of the Annex by 8%. Other elements of the proposals also include the following:

- Replacing concrete roof tiles with natural blue/grey slate.
- Replacing rendered east gable with natural stone to match existing.
- Replace white UPVC windows & doors with purpose made timber casement joinery (flush), finished in a light/medium grey colour.
- Remove white bargeboards & fascias, verges to be mortar pointed, fascias to be painted timber, light/medium grey colour.
- Remove white UPVC conservatory extension & replace with proposed extension.
- Remove white UPVC rainwater goods & replace with new in recessive colour.

The thermal performance of the existing building will also be improved with new insulation and glazing. The proposal will create a building of enduring quality clad in recessive materials that will sit more harmoniously in the landscape.