

## REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>9<sup>th</sup> June 2010</b>		
<b>Application Number</b>	<b>10/00399/ful</b>		
<b>Site Address</b>	<b>Rookery Farm, Seagry, Chippenham, Wiltshire SN15 5ER</b>		
<b>Proposal</b>	<b>Erection of two poultry houses</b>		
<b>Applicant</b>	<b>Mr R Bridge</b>		
<b>Town/Parish Council</b>	<b>Seagry</b>		
<b>Electoral Division</b>	<b>Kington</b>	<b>Unitary Member</b>	<b>Cllr Howard Greenman</b>
<b>Grid Ref</b>	<b>395253 180893</b>		
<b>Type of application</b>	<b>Full</b>		
<b>Case Officer</b>	<b>Emma Pickard</b>	<b>01249 706637</b>	<b>emma.pickard@wiltshire.gov.uk</b>

### Reason for the application being considered by Committee

This application has been called in to committee by Councillor Howard Greenman to assess the proposal and the relationship to adjoining properties, the environmental and highways impact and the potential issues of smell and poor access.

### 1. Purpose of Report

To consider the above and to recommend that planning permission is GRANTED subject to conditions.

### 2. Main Issues

- To assess the visual impact of development in terms of policy NE15;
- To assess the issue of noise/smell/vermin and the impact on residential amenity;
- Highway implications of the development;

### 3. Site Description

Rookery Farm lies to the west of Lower Seagry and on the road between Sutton Benger and Great Somerford. The poultry houses are proposed within fields directly to the west and northeast of the existing residential use of Rookery Farm, which comprises the main house, a rented cottage and a number of outbuildings. The fields are bounded by native hedgerows and each have an existing vehicular accesses.

There are residential properties directly to the north and west of the site and higher concentrations of residential properties within a short distance from the site, at Upper Seagry, Seagry, Lower Seagry and further to Startley, Great Somerford and Sutton Benger.

### 4. Relevant Planning History

<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
<b>NONE</b>		

## 5. Proposal

The applicant proposes to site two mobile poultry houses, one on each of the fields, for free range egg production. In total, this amounts to 4500 birds on the site at any one time. The houses are mobile in that every 58 weeks the chickens are removed from the site and vehicles would drag the shelter to another part of the field. The waste is removed at this time which takes approximately 4 days, and all equipment is washed and disinfected. New chickens are then brought onto the site and the cycle restarts.

The proposed buildings would measure 8.8m(w) x 50.4m (l) x 3.4m (h) and 6.7m(w) x 37.8m (l) x 3.5m (h). The buildings are constructed using a heavy duty PVC roof (in either green or gull grey) and the side cladding is heavy duty polyboard. Electrified perimeter fencing will be erected to contain the chickens and to deter foxes.

Inside the houses approximately one third of the floor area is available to birds as a litter area. Chopped straw and/or wood shavings are used as the bedding material. Any droppings are absorbed and remains dry and compost like for the duration of the flock cycle. There is also a slatted roosting platform which takes up the remaining two-thirds of the internal area. The area below this is enclosed and collects the neat droppings for the duration of the cycle which are then removed during the turnaround between flocks.

The eggs will be taken away twice weekly to a central collection point. Two people will be employed part-time.

A shaded area on the site plan indicates the western side of field no 3800 where the poultry house will be located. At its closest, the unit on this field would be approximately 50 metres The Old School House and 75 metres from Lower Seagry Farm.

Freedom Food (RSPA) and Lion Code stocking densities for free range egg production are 2000 birds per hectare. In the applicants case there is potential for 5000 birds, however, the proposal is for 1750 birds in one field and 2750 in the other.

## 6. Consultations

Parish Council.

The council has serious concerns about this application relating to;

- Excessive height and size of buildings;
- Volume of traffic entering and exiting the site, in particular lorries attempting to turn right when leaving onto a sharp bend and across the junction with Five Thorn Lane;
- Distinct possibility of smells which may blow down to Lower Seagry;
- Distance from nearest property is 40m; and
- How will the applicant deal with the footpath that crosses the field.

Highways.

Do not consider that they could maintain a highway objection bearing in mind the low vehicle movements related to the proposal and possible movements related to permitted development at the site. However, they do consider that there should still be some upgrading/improvement of the access points and improvement and maintenance of the existing visibility spays.

Environmental Health.

Concerns would be of smell, flies and vermin. However, they believe this could be kept to a minimum by same day removal of chick faeces and any spent bedding from the site together with a suitable pest control schedule. They also comment that there could be a possible increase in early morning/late evening traffic noise and the early morning call of cockerels.

Footpaths Officer.

Footpath 22 crosses the southern field. If planning permission is granted it should be a condition that farming operations do not interfere with path users.

The applicant has engaged a specialist poultry consultant whose points can be summarised;

- Only dry manure and litter is produced. There will be no run-off.
- In my experience free range poultry units of this nature do not produce a smell problem.
- Flies should be kept to a minimum by keeping a dry environment inside the houses.
- There will be no ventilation fans and no stand by generator.
- There will be no cockerels.
- Stocking levels are relatively low and there will be no noise during the dark hours regardless of light patterns that allow 12 hours of light in 24 hours, even in winter.
- The houses have no light spill because of their construction.
- Dust is not an issue with this type of enterprise.
- Feed will be stored in storage bins.
- Boards are provided to seal the building to the ground which should deter vermin.
- A secure fence will isolate the public footpath from the birds ranging area.

A letter has also been received from a partner of a poultry veterinary practice who states;

- This is a small operation in modern terms.
- DEFRA as responsible for the surveillance and control of Avian Influenza which has largely died out. It can only be transmitted by very close contact with ill birds, for example by eating, and will not just move in the wind and affect people from health flocks.
- Diseases such as Salmonella, avian TB and Ecoli are rarely seen in free range chickens and he is unaware of any health issues from residents living close to free range chicken sites.
- Flies can be controlled through good management.

## **7. Publicity**

The application was advertised by site notice, press advert and neighbour consultation.

A total of 82 letters of objection were received.

Summary of key relevant points raised;

- Odour from the site with dwellings close proximity;
- Switch on of artificial lighting in winter causing noise and disturbance;
- Accesses are on dangerous bends and on a road with high levels of vehicular traffic;
- Additional traffic on roads will create a safety hazard;
- Loss of open land;
- The fields would become barren;
- Risk of disease;
- Contamination to ditches and watercourses;
- Problem of waste and vermin;
- Intrusive in the countryside; and
- Unacceptable to those using the public footpath which crosses the site.

## **8. Planning Considerations**

In planning terms, keeping laying hens is an agricultural use and in many cases permission is not required for moveable structures such as poultry houses. However, in this instance, permission was deemed to be required for the poultry houses because of their size and design which were considered to have a degree of permanence.

## **Visual Impact.**

Whilst the structures are large, they would be part of an agricultural enterprise of which similar examples exist within a few miles of the site. The buildings would have an 'agricultural' appearance and it is therefore considered that there would be no conflict with Policy NE15 in that the development would not adversely affect the character of the area.

## **Odour/noise.**

There is an extensive amount of local concern about the potential for odour and noise problems from the site. It is the opinion of the Council's Environmental Health officer that this could be kept to a minimum by the imposition of conditions. The same can be said for the potential for vermin on the site. Whilst it is acknowledged that this is a potential problem with this type of enterprise, it can be kept to a minimum with good management.

Due to the distance of the site to neighbouring properties, it is considered that there should not be undue harm caused to residential amenity through noise.

## **Highways.**

Eggs are collected twice weekly and feed is delivered every 16 days. At the end and beginning of the cycle birds are removed or brought to the site in one vehicle. In addition, there are vehicle movements at end of the cycle when the manure is removed. Construction of the shelters will also involve lorry movements when they are delivered via a flat bed lorry.

The highways officer has assessed the number and frequency of movements in relation to the proposal and to the existing agricultural use and has no objection, subject to condition.

## **9. Conclusion**

It is considered that, in the opinion of officers and on the basis of professional advice the proposed poultry houses for the keeping of chickens for the production of free range eggs would not harm residential amenity to a degree that cannot be

## **10. Recommendation**

Planning Permission is GRANTED for the following reason:

The proposal is considered to be acceptable in terms of visual amenity, highway safety and environmental considerations. As such, the proposal complies with policies C3 and NE15 of the North Wiltshire Local Plan 2011.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. At no time shall there be any obstruction to the use of footpath number 2 that crosses field number 2291.

REASON: In the interests of amenity.

3. The poultry house hereby permitted within field number 3380, shall be located within the shaded area only shown on the submitted site plan, and shall at no time be located on the unshaded section to the east.

REASON: In the interest of residential amenity.

4. No development shall commence on site until a scheme for the management of chicken faecal waste, including vermin and fly infestation controls within the sites edged red on the approved plan, has been submitted to, and approved in writing by the local planning authority.

REASON: In the interest of amenity.

5. The field entrance to the east field (3800) and west field (2991) shall only be used for the vehicle movements associated with the delivery of the materials for the construction of the poultry houses, traffic associated with the construction of the poultry house, feed delivery for chickens, flock insertion and flock removal. The access points shall not be used for any other vehicle movements.

REASON: In the interests of highway safety.

6. The Rookery House entrance shall only be used for vehicle movements associated with staff movements related to the operation of the site (checking of chickens/ internal egg collection etc), clean down/ removal of waste products from the poultry houses and the movements associated with the collection and distribution of the eggs from the site. The access shall not be used for any other vehicle movements.

REASON: In the interests of highway safety.

7. The development hereby permitted shall not be first brought into use until the access, from the carriageway edge until the gates has been suitably consolidated. Plans and details shall be submitted and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

8. No part of the development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of carriageway, measured along the centre line of the access, to points on the edge of the carriageway 43m in the north direction and 33m in the south direction. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

9. The development hereby permitted shall not be first brought into use until the surface of the access has been upgraded from the carriageway edge until the gates has been suitably consolidated. Plans and details shall be submitted and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

10. No part of the development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of carriageway, measured along the centre line of the access, to points on the edge of the carriageway 43m in the west direction and 10m in the east direction to provide visibility of the junction. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

11. No part of the development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of carriageway, measured along the centre line of the access, to points on the edge of the carriageway to provide visibility of the junction Five Thorn Lane (approximately 40m) in the south-west direction and 43m in the north-east direction. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

**INFORMATIVE**

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

**Plan References:**

Location Plan dated 25/02/10 and Two Pages of Specification and Design for Poultry House dated 03/02/10

<b>Appendices:</b>	<b>None</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<b>1.20, 2.02, 3.06, 4.02, 4.03, 4.04, 4.07, 4.08.</b>

