

**RYEDALE DISTRICT COUNCIL
PLANNING COMMITTEE**

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 6
Application No: 15/00872/MFUL
Parish: Habton Parish Council
Appn. Type: Full Application Major
Applicant: Mr & Mrs Jonathan Bulmer
Proposal: Erection of an agricultural building for the housing of 880no. pigs
Location: Coultas Farm Habton Lane Great Habton Malton North Yorkshire YO17 6TY

Registration Date: 29 July 2015
8/13 Wk Expiry Date: 28 October 2015
Overall Expiry Date: 9 September 2015
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

Environmental Health Officer	No views received to date
Parish Council	No views received to date
Highways North Yorkshire	No objection

Neighbour responses: Yvonne Metcalfe & David Walker,

SITE:

The application site is an established livestock and arable farm of approximately 91 hectares. It is situated adjacent to Habton Lane, approximately 600m to the west of the village of Great Habton.

There are currently three livestock buildings and a storage shed within the farmstead which houses sheep and 920 pigs. The proposed siting of the agricultural building is bounded to the south and west by the existing livestock sheds and concrete hard standing, to the north by an established band of native trees and to the east by a mature hawthorn hedge and a drainage ditch that forms the boundary between the farm and the adjacent training gallops.

PROPOSAL:

Planning permission is sought for the erection of an agricultural building for the housing of 880no. pigs. The application is 'Major' development because the proposed building has a floor area in excess of 1000 square metres. As such, it is required to be determined by the Planning Committee.

ENVIRONMENTAL IMPACT ASSESSMENT:

The development is considered to fall within Section 1(c) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (Intensive livestock installations).

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It is for the Local Planning Authority to consider whether the development is likely to have significant effects on the environment by virtue of factors such as size, nature and location.

The proposed agricultural building has an approximate floor area of 1337.49 square metres. However, as the development is not within a sensitive area as defined by the Part 1, Section 2 of the 2011 EIA Regulations.

The opinion of the Local Planning Authority is that the development does not compromise EIA development.

HISTORY:

The relevant planning history in connection with the site includes:

- 08/00093/AGNOT - Agricultural notification determined - Erection of agricultural building for the housing of livestock.
- 08/00284/FUL - Planning permission granted - Erection of general-purpose agricultural building.

POLICY :

The Ryedale Plan - Local Plan Strategy

Policy SP9- The Land Based Rural Economy

Policy SP13 - Landscapes

Policy SP16- Design

Policy SP19- Presumption in Favour of Sustainable Development

Policy SP20- Generic Development Management Issues

National Planning Policy Framework (2012)

Chapter 3 - Supporting a prosperous rural economy

National Planning Practice Guidance (2014)

APPRAISAL:

The main considerations to be taken into account when considering the proposal are:

- i. The principle of development
- ii. Impact upon the wider open countryside
- iii. Highway safety
- iv. Drainage
- v. Impact upon neighbouring amenity
- vi. Other matters
- vii. Conclusion

i. The principle of development

Policy SP9 (The Land Based and Rural Economy) of the Ryedale Plan - Local Plan Strategy is supportive of new buildings that are necessary to support land-based activity and a working countryside, including farming. Furthermore, Section 3 (Supporting a prosperous rural economy) of the National Planning Policy Framework is supportive of sustainable growth and expansion of all types of business and enterprise in rural areas, through well designed new buildings.

The applicants operate a relatively large scale agricultural business, comprising of both arable and livestock farming. The proposed building will allow for the agricultural business to expand. It is considered that the principle of a pig rearing building in this location and within the farmstead is considered acceptable.

ii. Impact upon the wider open countryside

The proposed siting of the agricultural building is bounded to the south and west by the existing livestock sheds and concrete hard standing, to the north by an established band of native trees and to the east by a mature hawthorn hedge and a drainage ditch that forms the boundary between the farm and the adjacent training gallops. It is therefore considered that when travelling east to west and west to east along Habton Lane, the agricultural building will be read in context of the existing farmstead and therefore will not be detrimental to the character of the wider open countryside. This is also similar when travelling north to south and south to north along Newsham Lane where there will be glimpsed view of the propose agricultural building. In relation to design, the building incorporates a traditional linear form under a pitched roof. The building will be constructed of concrete lower panels, Yorkshire Boarding and fibre cement sheeting. A condition will be attached to the Decision Notice if planning permission is granted to allow the materials and colours of the proposed building to be agreed prior to the commencement of the development.

iii. Highway safety

The development will utilise the existing access to the farmstead. On the basis of the submitted HGV movements likely to be generated by the proposals, the Local Highway Authority has raised no objection to the proposal in terms of its impact upon highway safety.

iv. Drainage and mature management

The agricultural building will be a deep straw based system of approximately 30cm in depth that is topped off every 4 days. The sheds are cleaned out every 10 weeks by scraper and brush attached to a JCB are used. The manure is initially then led away with a trailer and spread on the farm or the neighbouring farm which is considered to be a good use of the manure and the land.

v. Impact upon neighbouring amenity

A letter of objection has been received from the occupiers of the property 'The Ellers' that is located approximately 225m to the south east of the proposed agricultural building, adjacent to Habton Lane. They have concerns regarding the following:

The proposed large pig unit will impact upon the quality of life at our house based upon

- The likelihood of smells which we believe will be generally unpleasant, and on occasions overpowering. The prevailing westerly wind will exacerbate this problem
- The likelihood of excessive noise from the pigs
- The potential to attract vermin

The Environmental Health Officer has advised that in order to protect the amenity the neighbouring property of The Ellers, a Manure Management Plan shall be submitted to the Local Planning Authority prior to the commencement of the development. This will be assessed and then reviewed bi- annually. No complaints have been made to the Local Authority with regard to nuisance noise and smell with regard to the farmstead of Coultas Farm. It is not considered that a reason for refusal on this basis can be sustained unless Environmental Officers conclude that there will be a likely adverse impact upon neighbouring occupiers by virtue of odour, noise or vermin.

The agent and applicant have responded to the letter of objection from the occupiers of the property The Ellers which can be viewed in detail on the Council's website. They carried out a site inspection and made observations with regard to odour, noise and vermin. They concluded that whilst odour, noise and vermin will increase as a result of the proposal, they will not have a significant effect on the occupiers of The Ellers due to the location of the proposed building, the distance it is from the property, the natural buffering and the management of the farmstead. This management will be monitored through a Manure Management Plan.

vi. Other Matters

There has been no response from Habton Parish Council regarding the proposal.

vii. Conclusion

In light of the above considerations, the erection of an agricultural building for the housing of 880no. pigs is considered to satisfy the relevant policy criteria outlined within Policies SP9, SP13, SP16, SP19 and SP20 of the Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. The proposal is therefore recommended for approval subject to the following conditions.

RECOMMENDATION: Approval

- 1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 Prior the commencement of the development hereby permitted, a manure management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the building being first brought into use. The plan shall be submitted for review on a bi annual basis commencing on the 1st October 2016 or such longer period as may be agreed in writing with the Local Planning Authority.

Reason: To ensure that the development does not have an adverse impact on the existing amenities of neighbouring occupiers to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 3 Prior to the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Site Location Plan - C15103/002
Site Plan - C15103/000
Proposed Elevations and Plan - C15103/001

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES:

1. Any new or substantially altered agricultural facility must comply with Control of Pollution (Silage, Slurry and Agricultural Fuel Oil (SSAFO)) Regulations 2010. To ensure that you comply with these regulations, please call our Environment Management team on 08708 506506. We'll need details of the type of structure and its exact location. Please contact us at least 14 days before the facility is first used.
2. If the total number of pigs kept in the site exceeds 2000 at any one time then an Environmental Permit is required from the Environment Agency.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties