

Item Number: 9
Application No: 18/00202/MFUL
Parish: South Holme Parish Council
Appn. Type: Full Application Major
Applicant: A R Farnell (Mr Andrew Farnell)
Proposal: Erection of an agricultural poultry rearing building with feed bins and area of hardstanding following the demolition of existing agricultural buildings.
Location: Beech Tree House South Holme Slingsby Malton YO62 4BA

Registration Date: 28 February 2018
8/13 Wk Expiry Date: 30 May 2018 (Extension of time agreed until 6 June 2018)
Overall Expiry Date: 11 April 2018
Case Officer: Alan Goforth **Ext:** Ext 332

CONSULTATIONS:

Parish Council	No response received to date
Highways North Yorkshire	No objections
Environmental Health Officer	No response received to date
Flood Risk (LLFA)	Comments and recommendations
Public Rights Of Way	Recommend informative
Yorkshire Water Land Use Planning	No response received to date

Neighbour responses:

SITE:

Beech Tree Farm is an existing farm holding situated in the open countryside approximately 600m west of South Holme, Slingsby, Malton. The application site is land forming part of an established poultry farm that currently consists of No. 4 units with a capacity of up to 120,000 birds.

A section of the existing farm access track (approx. 200m stretch) falls within Flood Zones 2 and 3 although the proposed poultry unit itself is south of the areas of highest flood risk (within Flood Zone 1).

Beech Tree Cottage is 30m to the north of the proposed building and Beech Tree House stands 60m to the west. South Holme Farm is 0.5km to the south west and a row of cottages along West View are 0.5km to the east. Public Right of Way no. 25.89/3/1 runs east – west along the farm access track and meets Public Right of Way no. 25.89/9/1 which leads south in front of Beech Tree Cottage before heading west away from the farmyard and application site.

PROPOSAL:

This proposal seeks planning permission for the erection of an agricultural building for the rearing of poultry which will house up to 55,000 birds, increasing the on-site capacity to 175,000 birds.

The proposed building would be a steel portal frame construction measuring 104m x 24.69m reaching 3m high at eaves level and 6.39m at ridge height. The building would be of a dual-pitched design clad with natural grey polyester coated steel profile sheeting for the walls and slate blue steel profile sheeting for the roof. Soakaway trenches would run parallel to the south and north sides the length of the building, a control room (9m²) would be attached to the front south side of the building and two feeds bins on the northern side. The front double door entrance to the building would be in the western elevation and a 24.5m by 14m concrete apron would be laid to the front of the building.

The new building would make use of the existing site access and would require the demolition of a range of single storey, redundant agricultural buildings and the removal of part of a row of conifers. It is proposed that a replacement tree belt is planted around the rear, east facing elevation of the building.

Internally the building would contain pan feeders, non-drip nipple drinkers. The building would incorporate high velocity ridge mounted ventilation fans, side inlet vents and a gable end fan (eastern side) for use during hot weather. The heating, ventilation, feeding and lighting systems as controlled by the computer system that will be housed in the control room.

The expansion of the poultry farm business would result in an increase in HGV movements from 780 movements per annum to 1104.

As required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 the application has been screened and the Local Planning Authority has determined that the proposal does not constitute EIA development and need not be accompanied by an Environmental Statement.

HISTORY:

12/00407/MFULE- Erection of a broiler unit (north unit) for the housing of 30,000 poultry. Approved 25.07.2012.

12/00408/MFULE- Erection of a broiler unit (south unit) for the housing of 30,000 poultry. Approved 25.07.2012.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy
Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources
Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations

National Planning Policy Framework 2012 (NPPF)
National Planning Practice Guidance 2014 (PPG)

APPRAISAL:

The main considerations in the determination of this application are considered to be:

- i) Principle of the development;
- ii) Design, appearance and landscape impact;
- iii) Local amenity and environmental impact;
- iv) Flood Risk and drainage;
- v) Highway impacts; and
- vi) Impact on users of the public right of way (PRoW).

i) Principle of the development

The site is within the open countryside, however, the principle of the development aligns with policies SP1 and SP9 and paragraph 28 of the NPPF as the new building would support land based activity (poultry farming) and the rural economy. The proposed building would allow for a modern and efficient expansion of an established poultry operation enabling an increase in on-site capacity and the promotion of UK food production whilst adding value through direct and indirect employment.

ii) Design, appearance and landscape impact

The new building would be located to the north of the existing poultry units in a position that requires the prior demolition of a small group of redundant, single storey farm buildings.

The building is of considerable size although within the context of the existing poultry farm business it is considered that the scale of the new building would be compatible with the size and form of the row of existing units and due to its siting would not appear isolated from the existing agricultural buildings.

The building would extend further east than the existing units and would require the removal of an existing stretch of conifer screen planting. The Applicant has provided an amended Proposed Site Plan showing an area of replacement planting to screen the east and south ends the buildings and full details would be secured by condition should permission be granted. The nearest visual receptors are approximately 500m from the site and the proposed planting should retain and enhance the landscaped appearance of the farm when viewed from the east.

The proposed development also includes the removal of dilapidated and redundant agricultural buildings and the construction of the new building on the footprint. The proposed scale, materials and colour finishes are standard for these type of poultry buildings and would be sympathetic to the character and appearance of the existing farmstead minimising the visual impact within the surrounding area.

The siting and design of the new building is considered acceptable and there would be minimal impact upon the open countryside and rural character of the area and the development is considered to be in compliance with Policy SP16.

iii) Local amenity and environmental impact

The operation of the poultry unit would follow the existing arrangements in place for the adjacent units. The manure removal process is regulated by an IPPC permit issued by the Environment Agency and manure is either retained on the farm for use or exported to neighbouring arable farms. The cleaning process involves the use of high pressure hoses and the base of the building would be levelled so that waste water runs western out of the doors and towards the concrete pad. The poultry unit would be fan ventilated. The waste water from the cleaning process is collected within a containment tank which is then removed by a tanker for disposal off site at an appropriate facility. This is controlled by the aforementioned Environmental Permit and ensures that there is no contaminated run off. The permit also covers emissions to air, water and land, generation of waste, use of raw materials, energy efficiency, noise, prevention of accidents and restoration upon closure. It is understood that the Applicant is currently seeking a variation of the existing Permit to take account of the additional poultry unit.

In considering air quality and pollution it is important to note that planning and other regulatory regimes are separate, but complementary. The planning system controls the development and use of land in the public interest and, as stated in paragraphs 120 and 122 of the NPPF, this includes ensuring that new development is appropriate for its location taking account the effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution. The focus of the planning system is on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to

approval under other regimes. The NPPF advises that local planning authorities should assume that these regimes will operate effectively.

The proposed development, if granted planning permission, would be subject to the controls of the IPPC Permit. It is considered that the emissions from the site could be adequately monitored and controlled under the environmental permitting regime. The controls exercised under the regulatory pollution regime exist to prevent or mitigate harm from development and any grant of planning permission for the development would not inhibit the relevant regulators from refusing a permit application should they consider it would cause demonstrable harm.

The site occupies a relatively isolated location in relation to sensitive receptors and public vantage points. It is not anticipated that this proposed addition to the established poultry farming operation would give rise to any unacceptable visual intrusion, pollution or disturbance and as a result there would not be an adverse impact upon local amenity or environment in compliance with the relevant part of Policy SP20.

iv) Flood Risk and drainage

The proposed building, concrete apron and associated external structures would all stand outside of Flood Zones 2 & 3. At its closest point the proposed building would be approximately 15m from Flood Zone 2 and 100m from Flood Zone 3. The intervening land comprises a farm track, an open flat field and the internal farm access road. The proposed building would be located outside of the areas of highest flood risk and, for flood risk purposes, is classed as a 'less vulnerable' use.

In their initial consultation response the Lead Local Flood Authority (LLFA) requested a Flood Risk Assessment (FRA). In response, the submitted FRA indicates that the primary risk to the site is from overland surface water flooding resulting from the local drainage ditch overtopping the banks during periods of excessive rainfall.

The recommended flood risk mitigation is that the floor of the new building is raised to a level of approximately 600mm above the existing ground level and external levels around the building re-graded to shed any overland flood waters away from the building. A condition shall be attached to any permission granted to require that the development is undertaken in accordance with the mitigation measures set out in the submitted Flood Risk Assessment.

It is proposed that surface water would be discharged via soakaway and trenches would run parallel to the north and south elevations of the poultry unit. The FRA includes percolation testing which determines the appropriate soakaway dimensions and there are no objections from the LLFA subject to detailed design.

The LLFA have confirmed that the submitted FRA demonstrates a reasonable approach of the management of surface water on the site. The LLFA request that the detailed design for the foul and surface water drainage and SuDs drainage maintenance are secured by condition should permission be granted. As a result it is considered that the proposed development would not conflict with the aims of Policy SP17.

v) Highway impacts

The proposed expansion of the poultry business would give rise to an increase in HGV movements. The LHA have considered the HGV movement figures and based on a 6 day working week anticipate an additional HGV visit per day equivalent. In general the HGV movements relate to chick, feed, fuel and shavings deliveries and bird, manure and waste water removals. It is acknowledged that due to the nature of the operation there are peaks in HGV movements throughout the year.

The existing access is fit for purpose and provides suitable visibility where it meets the public highway. In addition there is sufficient space within the site for the parking and turning of HGVs. The LHA has confirmed that there is no evidence of any extra-ordinary damage at the access or the adjacent public highway allied with the existing use, and the predicted additional traffic is, on balance, not considered

to present any severe detrimental effect to that access or the local highway network.

In considering the cumulative impact the Officer view is that the proposed expansion of the poultry operation and associated HGV movements can be satisfactorily accommodated by the local highway network and would not have a detrimental impact on road safety in accordance with Policy SP20.

vi) Impact on users of the public right of way (PRoW)

As referred to earlier in the report there are two public footpaths that fall within the application site boundary although neither would be directly affected by the new poultry building or associated structures. The PRoW routes follow the existing internal access road and pass Beech Tree Cottage but do not enter the working farmyard nor do they cross the footprint of the proposed building.

The internal access road that leads west from the public highway is relatively straight and flat with good visibility and verges that allow space for passing. Furthermore the existing poultry operation has operated alongside existing public footpaths without conflict between users.

Whilst the new building would result in an increase in HGV movements to and from the farm it is not anticipated that it would give rise to material change in highway safety conditions. There are no objections from the LHA and the County PRoW team have recommended that the standard informative (that requires that PRoWs are not obstructed) is included on any permission granted. In light of the above it is considered that the proposed development would not have a detrimental impact on the amenity or safety of users of the PRoWs in accordance with Policy SP20.

Conclusion

The principle of the development is in line with national and local planning policy and represents development that supports the land-based, rural economy and contributes to UK food production in a sustainable manner. There are no objections to the application from consultees or any member of the public. The proposed development would not have an unacceptable impact on the open countryside, local amenity, flood risk or highway safety and is considered to meet the relevant policy criteria outlined within Policies SP1, SP9, SP16, SP17 and SP20 of the Ryedale Plan - Local Plan Strategy and the NPPF. The proposal is therefore recommended for approval.

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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan, drawing ref. IP/AF/02, dated March 2018.

Proposed Site Plan (including Proposed Tree Planting Belt), drawing ref. IP/AF/03A, dated April 2018.

Elevations and Plan, drawing ref. IP/AF/04, dated March 2018.

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

3 Before any part of the development hereby approved commences, plans showing details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including

existing items to be retained. All planting seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved.

- 4 The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 6 of the Flood Risk and Drainage Assessment produced by Alan Wood & Partners, dated May 2018.

Reason: In the interests of amenity and flood risk.

- 5 Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.

- 6 No development shall take place until a suitable maintenance of the proposed SuDS drainage scheme arrangement has been demonstrated to the Local Planning Authority. Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.

Reason: To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system.

INFORMATIVE

- 1 No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via paths@northyorks.gov.uk to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.