

DUNKESWELL (Sheldon) 09/0705/FUL & 09/0706/FUL Target Date: (01.06.2009)

Applicant: Mr G Fielding

Location: Droughtwell Farm, Sheldon

Proposal: Formation of vehicular access and erection of free range broiler house (09/0705/FUL building 1); (09/0706/FUL building 2)

CONSULTATIONS

County Highway Authority

The Executive Director of Environment, Economy and Culture, on behalf of Devon County Council, as Local Highway Authority, recommends that the following conditions shall be incorporated in any grant of permission:-

1. Visibility splays shall be provided, laid out and maintained for that purpose at the site access in accordance with the attached diagram GF/09/01.

REASON: To provide adequate visibility from and of emerging vehicles.

2. The site access road shall be hardened, surfaced, drained and maintained thereafter to the satisfaction of the Local Planning Authority in accordance with the attached diagram CF/09/01.

REASON: To prevent mud and other debris being carried onto the public highway

3. The site access road shall be widened and maintained thereafter in accordance with the attached diagram GF/09/01.

REASON: To minimise congestion of the access

Environmental Health

Initial comments

I have considered the information provided and am concerned that insufficient thought has been put into the potential for fly and odour nuisance. The applicant should be required to provide details of how they intend to avoid nuisance in the following respects:

1. The control of flies (industry standards are freely available and the applicant should refer to them in proposing a scheme).
2. The control of odour. Insufficient information has been provided relating to the control of odour from the houses themselves and the clearing and storage of manure prior to spreading. Again Farming Codes of Practice are available.
3. Pest Control. The applicant should provide details of the provisions they intend to put in place to ensure that problems do not occur relating to rats and mice.

For all these matters the applicant must be able to demonstrate that there will not be a harmful effect on the local environment or on local residents.

I recommend that this information should be provided and the schemes agreed, or otherwise, before the application can be determined. 27.04.2009.

Further comments -

I have considered the additional information received in relation to these two applications. My comments apply equally to both:

The fundamental issue in relation to this application is the proximity of both of these units to the nearest residential premises. We know from experience that poultry units situated within 200m of dwellings are highly likely to cause fly problems. The applicant has not provided any information which convinces me that this will not be the case on this land. I therefore recommend refusal of this application. 01.06.2009.

Final comments -

I have considered the additional information supplied and I am now satisfied that there are suitable measures in place to deal with any fly problems that may arise. If the applicant implements the control measures from Day 1, fly problems should not occur in the first place. 17.06.2009.

TOWN/PARISH COUNCIL

Object to the applications on the following counts:

That there are already three large poultry establishments in the area, with substantial traffic movements with large feed and poultry transport vehicles utilising both accesses into this area, which were never designed for vehicles of this type. In addition the proposed entrance is very close to the dip in the road to Droughtwell Cottage giving visibility difficulties when slow large vehicles are turning into the proposed area.

Already there exists a problem of extensive mud on the road between the field entrance opposite Sheldon Woods and Droughtwell Farm and this development, being on the opposite side of the road to the farm will only exacerbate the situation.

The area is within the AONB and the proliferation of large industrial buildings of this type should not be considered in this area which already has a large enough quota of such buildings.

The visual impact of what appears to be a final proposal of up to five large industrial style buildings close to the road.

The smell generated from the waste, already a problem with the other poultry farms in the area.

The effluent from this operation would be free to flow from the area into the water courses which feed down to already established fish farms at "Hollies" on Slade Lane and Hayne Farm with the catastrophic effect.

We presume that a full environmental impact study will be carried out to provide information prior to any planning application being considered.

Finally we note that the Design and Access Statement quotes that Droughtwell Farm is an organic holding of approximately 48 acres. This would lead one to believe that this is merely an extension to an existing agricultural business. This is not the case, as the farmhouse with approximately six acres of land is for sale with Greenslade Taylor Hunt in Tiverton, and so one would suppose that on the sale of the farmhouse, Mr Fielding would require to build a further dwelling as the chickens would need full time husbandry. This further urbanisation should not be considered.

Adjoining Parish – Dunkeswell: The Parish Council made no comment on this application

Adjoining Parish – Broadhembury: No comments were received

WARD MEMBER(S)

The initial comments of the Ward Member Cllr R Buxton are -

“All the points raised in the letter from the Parish Council appear to be correct. Therefore, I think this application (s) should be refused “

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

REPRESENTATIONS

Objections

17 letters have been received raising the following points:

- Visual impact to AONB from more buildings on site
- Smell, pollution and effluent from use of the land
- Building is overbearing and impacts upon residential property close by
- Additional vehicles using lanes around the area and impact and danger of new accesses

The following issues additional 'non planning' issues have been raised:

- A new farmhouse will be required to run the proposal
- The proposal represents unethical farming practice
- The existing farmhouse and an area of land is for sale
- The unit may not be viable

RELEVANT PLANNING HISTORY

App. No:	Proposal	Decision	Date
06/1677/FUL	5 Poultry Houses, 2 feed silos, hardstanding, enlargements of accesses, one portacabin and one general purpose building for hay/machinery	Approved	02 July 2009

PLANNING POLICIES

Devon Country Structure Plan (2001-2016)

Policy CO3 – Areas of Outstanding Natural Beauty

Policy C06 – Quality of New Development

East Devon Local Plan (1995-2011)

Policy S5 – Countryside Protection

Policy D1 – Design and Local Distinctiveness

Policy EN1 – Development affecting Areas of Outstanding Natural Beauty

Policy E5 – Rural Diversification

SITE LOCATION AND DESCRIPTION

The proposed buildings (1 & 2) would be located in a field alongside a C class County Road linking Dunkeswell and Sheldon. A new access is proposed from the field to the lane alongside to serve the buildings.

The area is almost at the western edge of the upland plateau of the Blackdowns Area of Outstanding Natural Beauty, with forestry commission plantations to the north and a further shelter belt of trees forming the eastern boundary; the western boundary has a mature hedge along the lane. Barleycombe Farm, the nearest neighbouring property is located to the south east within a mature garden.

The land slopes gently from west to east across the field.

PROPOSED DEVELOPMENT

The applications seeks permission for the erection of free range broiler houses approximately 10m in width, 48m in length, 3.7m in height to the ridge; The building are proposed to be finished in green box profile steel for roof and gable ends, with timber doors and walls.

The buildings are required for a proposed free range broiler operation initially with 2 houses with a potential for 5 on the site. Each house will accommodate 5.500 birds with a 56 day life cycle.

A stone surfaced track will lead from the proposed new access to the front of each of the two buildings; a feed hopper is proposed alongside each building, 4.5m high, sitting on a concrete base. A gas tank would also be sited alongside each of the buildings.

The buildings would sit within their own part of the field, with an orchard of trees planted, of 2m height approximately 10m apart to provide shade for the birds.

Vehicular movements would be as follows:

- 1 vehicle per cycle to bring in chicks
- 2 vehicles per cycle to take away mature chicks
- 3 to 4 feed vehicles per cycle
- 1 gas delivery every other cycle
- 3 to 4 tractor movements for litter disposal

CONSIDERATIONS AND ASSESSMENT

Background

Planning permission was previously granted for the erection of poultry houses and feed silos in a separate field to the west; this application also granted permission for the erection of a general

purposes building which is located at the northern edge of the site, and also to widen an adjacent access.

On plans submitted with the application the outline of a further 3 similarly sized buildings are shown. However the applications before the Council are for two buildings at present.

The applicant lives in Droughtwell Farmhouse which is located approximately 250m to the north west of the proposed building.

Highway Issues

The County Highways Authority has no objection to the proposals to provide a new access to the field from the County Road. It is considered that the access and splays required could be facilitated via a condition based on the submitted plans.

Although objectors to the scheme have raised the issue of large vehicles both using the new access and accessing the area using local roads, without an objection from County Highways it would be difficult for the Local Planning Authority to raise a concern. Suffice to say, the road running immediately past the site is typical of the width and quality of minor roads running across the plateau, although it is acknowledged that roads to the north and elsewhere are of a smaller nature.

Impact on Landscape

The site is reasonably screened from long distance views by existing trees stands of the Forestry Commission to the north, and a shelter belt to the east. The boundary of the field with the garden of Barleycombe Farm on the southern boundary of the field (closest to building 1) is also relatively well screened. Aside from the new access proposed, the hedge running along the western boundary of the site means that there would be no significant views of the buildings. The present circumstances of course benefit from summer growth and it is acknowledged that the buildings would be more visible from around the site in winter, and also if the front boundary hedge is laid at some point in future.

However there would be no significant public views of the buildings, as opposed to views from private land. There are two bridlepaths nearby; however these are to the west of the lane.

Although within the immediate context of the field there would be an impact from the siting of the buildings, in mid and long distance terms, it is considered the screening around the site would ensure what impact there is to the Area of Outstanding Natural Beauty would be minimal. It is also suggested that the planting of the orchard of eating and cider apples as well as oak and beech within the plot around the buildings, would also help to soften the appearance of the buildings and reduce their impact, although it is acknowledged that any effect would take some time whilst the trees are establishing themselves.

Environmental Health Issues

The applicant has submitted details of a fly control programme that the Environmental Health Officer has assessed. To paraphrase the details the fly control programme would involve:

- Monitoring each shed for fly and maggot activity
- Identification of fly type
- Keeping manure as dry as possible by maintaining good ventilation, avoiding leaking drinkers, roofs, blocked gutters and water ingress
- Eliminating food spillage and the removal of dead birds
- Spraying insecticide when the buildings are cleared and use of insecticide on surfaces when birds are housed within the building
- Further control if an infestation occurs

In addition the applicant confirms he has an arrangement to take litter away for spreading elsewhere.

The Environmental Health officer has withdrawn 2 previous comments of concern based on the lack of information and now has no objection to the application. Although an objector has made the very relevant point that the cumulative effect of 5 broiler houses within the field may have an effect, there are only two applications before the Council at the moment for consideration.

Impact on Residential Amenity

The nearest point of Building 2 would be located approximately 20m from the field boundary and 50m from the actual building of Barleycombe Farm. Taking into account the height of the proposed building of 3.7m, and this distance, allied to the screening on the boundary it is not thought a case could be made for the building being significantly overbearing. Although both buildings would clearly be visible from Barleycombe Farm, and more so in winter, it is thought the impact would be minimal in terms of the physical presence of the building 2; building 1 is considered too distant to have any significant effect on Barleycombe Farm.

Aside from Barleycombe Farm, there are no other dwellings nearby that would be physically affected by the proposed buildings.

In regard to vehicles accessing the field, although these would be required for delivery and collection of birds at start and finish of each programme, and the delivery of feed, it is not thought that there be a significant impact through noise.

Other issues raised

The following issues have been raised but are considered not to be material to the consideration of these planning applications.

That the unit may not be viable; that a new farmhouse will be required; that the existing farmhouse is up for sale along with an area of land; the proposal represents unethical farming practice.

CONCLUSIONS

The applications are for the erection of 2 buildings to accommodate a free range broiler operation. The consideration is to weigh the benefits of the diversification proposed whilst at the same time assessing the significance of any impact from it to adjoining land users.

The County Highways Authority has raised no objection to either the new access or made any adverse comments on vehicles using local lanes accessing the site.

Although it is acknowledged the character of the immediate field would alter, in terms of the character of the Area of Outstanding Natural Beauty, it is considered the impact would be limited especially as there would be no significant long distance views of the site from public areas aside from potentially the lane in front due to the screening around the field. The additional planting of orchards within each plot around the broiler houses would also help to soften any impact. As such it is considered the character of the AONB would not be significantly affected.

In terms of the consideration of potential fly infestation and pollution problems, no objection has been raised by the Environmental Health Officer. Although any farm business involving animals or birds is likely to have some impact due to its very nature, in this case it is considered that provided the fly control measures, the storage of washing water in sealed tanks and disposal of manure is carried out in accordance with the submitted details and good agricultural practice, it is not considered an objection could be raised.

As such it is considered that both applications should be recommended for approval subject to conditions as outlined below.

RECOMMENDATION

Application 09/0705/FUL Building 1

APPROVE 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 and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)
2. The building shall be operated in accordance with the integrated fly control programme as set out in the applicant's letter of 16 June 2009.
(Reason – In the interests of the operation of the site and amenity of adjacent land owners.)
3. Planting of the orchard shall be in accordance with the submitted details in terms of tree type, size, and spacing, unless otherwise agreed in writing with the Local Planning Authority. Any trees which die, become damaged or diseased within 5 years of planting shall be replaced in the next planting season.
(Reason – In the interest of the appearance of the site, located within an Area of Outstanding Natural Beauty.)
4. The colour of the feed hoppers shall be submitted to and agreed in writing with the Local Planning Authority. Development shall accord with the agreed details.
(Reason – In the interests of the appearance of the site, located within an Area of Outstanding Natural Beauty.)
5. Visibility splays shall be provided, laid out and maintained for that purpose at the site access in accordance with the attached diagram GF/09/01.
(Reason - To provide adequate visibility from and of emerging vehicles.)
6. The site access road shall be hardened, surfaced, drained and maintained thereafter to the satisfaction of the Local Planning Authority in accordance with the attached diagram GF/09/01.
(Reason - To prevent mud and other debris being carried onto the public highway.)
7. The site access road shall be widened and maintained thereafter in accordance with the attached diagram GF/09/01.
(Reason - To minimise congestion of the access).

Reasons for approval

The proposal complies with the Devon Structure Plan 2001-2016 Policies CO6 (Quality of New Development) and CO3 (Areas of Outstanding Natural Beauty)

The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies S5 (Countryside Protection), D1 (Design and Local Distinctiveness), EN1 (Developments Affecting Areas of Outstanding Natural Beauty) and E5 (Rural Diversification).

The proposal does not adversely affect the privacy and/or amenity of neighbouring properties.

The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.

The proposal does not harm the natural beauty of the landscape designated as an Area of Outstanding Natural Beauty.

Approved plans

1:2500 scale location plan

Drawing No GF / 09 / 01

RECOMMENDATION

APPLICATION 09/0706/FUL Building 2

APPROVE subject to the following conditions

8. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)
9. The building shall be operated in accordance with the integrated fly control programme as set out in the applicant's letter of 16 June 2009.
(Reason – In the interests of the operation of the site and amenity of adjacent land owners.)
10. Planting of the orchard shall be in accordance with the submitted details in terms of tree type, size, and spacing, unless otherwise agreed in writing with the Local Planning Authority. Any trees which die, become damaged or diseased within 5 years of planting shall be replaced in the next planting season.
(Reason – In the interest of the appearance of the site, located within an Area of Outstanding Natural Beauty.)
11. The colour of the feed hoppers shall be submitted to and agreed in writing with the Local Planning Authority. Development shall accord with the agreed details.
(Reason – In the interests of the appearance of the site, located within an Area of Outstanding Natural Beauty.)
12. Visibility splays shall be provided, laid out and maintained for that purpose at the site access in accordance with the attached diagram GF/09/01.
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List of Background Papers

Application file, consultations and policy documents referred to in the report.