

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - 18 February 2015

AGENDA ITEM NO 1.
APPLICATION NO 3844/14
PROPOSAL Erection of a livestock unit for the housing of free range hens,
with associated feed bins and hardstandings
SITE LOCATION Place Farm, Old Bury Road, Stuston
SITE AREA (Ha) 0.14
APPLICANT D.R. & T.J. Laurie
RECEIVED December 2, 2014
EXPIRY DATE March 4, 2015

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

- (1) the Head of Economy considers the application to be of a controversial nature having regard to the extent and planning substance of comments received from third parties.

PRE-APPLICATION ADVICE

1. No pre-application advice has been given in respect of this application

SITE AND SURROUNDINGS

2. This application relates to land associated with Stuston Place Farm, Stuston located on the southern side of Old Bury Road, and to the south-west of the village of Stuston. The site of the proposed chicken shed is currently in use for storage of spoil which resulted from the construction of two reservoirs to the south.

An existing vehicular access serves the site from Old Bury Road. An arable field, comprising 8.38ha, to be used for the chickens to have free range over, is located to the east of the proposed siting of the chicken shed. An existing access track, enclosed within hedgerows, which currently serves the reservoirs crosses in front of the proposed siting of the shed.

The main complex of buildings associated with Stuston Place Farm is located to the north. Open agricultural land lies to the west of the site. A junction on to the A143 trunk road is approximately 0.6km to the west of the site.

HISTORY

2.

3. The planning history relevant to the application site is:

3909/14	Change of Use for an ex storage barn into an artisan brewery with retail	Withdrawn
2908/08	Demolition of conservatory and porch. Erection of new dayroom lean-to, utility and breakfast room extension, replacement porch. Internal Alterations, including a second staircase and replacement and re-instatement of windows.	Granted 26/09/2008
2920/08	Demolition of conservatory and porch. Erection of new dayroom lean-to, utility and breakfast room extension, replacement porch. Internal alterations, including a second staircase and replacement and re-instatement of windows.	Granted 26/09/2008
0262/07	Change of use of part of agricultural building to a farm shop.	Granted 14/12/2007
0464/95	Erection of grain store	Granted 22/08/1995

PROPOSAL

4. Planning permission is sought for the erection of a livestock unit for the housing of free range hens, with associated feed bins and hardstandings.

The application is supported by:

- Design and Access Statement
- Odour Dispersion Modelling Study
- HGV routing plan

The proposed building would be used for the housing of 16,000 free range laying hens for the purpose of egg production. This size of unit is below the threshold to require the completion of an Environmental Impact Assessment. The building measures 88.4m long x 16.5m width with a ridge height of 5.17m and includes an egg store and packing area together with the accommodation for the hens. The building would be constructed of profile metal sheeting in green. Two associated feed bins to be positioned alongside the building have a height of 7.4m. The bird area includes a scratch area and perchery together with nest boxes.

Pop holes situated on the eastern side of the shed provide birds with direct access to the range area which extends to 8 hectares of the adjoining farmland. The popholes would be opened at 0800 and closed at 2100 (or dusk). The range area would be enclosed by a post and wire stock fence.

The existing access track to the front of the proposed shed is to be re-located to the west of the site, with the existing hedgerow retained.

POLICY**5. Planning Policy Guidance**

See Appendix below.

CONSULTATIONS**6 SCC Highway Authority**

- Suffolk County Council can confirm that the frequencies and proposed route is acceptable in terms of highway safety therefore Suffolk County Council can support this application.

Conservation Officer

- The Heritage Team considers that the proposal would cause no harm to a designated heritage asset because only partial views of the development site will be had from the grade II listed Place Farm. The new development is also set back from the highway which bisects the farm site. Therefore the setting of the heritage asset will remain largely unaffected.
- The proposals to construct a free range egg unit for around 16,000 birds within a large single story pitched roof unit. While its footprint is large its height is quite low (5.2m ridge) therefore only having a limited impact on the surrounding landscape and the setting of the adjacent heritage asset. It has been indicated in the design and access statement that existing hedges and growth will screen the site sufficiently from the wider area including Old Bury road. It is important that this is retained to ensure sufficient screening.
- The Heritage Team recommends that the application is approved subject to retained visual screening from the green boundary treatment of the site.

Environmental Health (Land Contamination)

- Many thanks for your request for comments in relation to the above application. I have looked at the application and can confirm that the likelihood of contamination adversely affecting the proposed end use is low and as such I have no objection to raise with respect to this application. I would only request that we are contacted in the event of unexpected ground conditions being encountered during construction and that the developer is made aware that the responsibility for the safe development of the site lies with them.

Environmental Health (Noise/Odour/Light/Smoke/Emissions)

- No objection in principle as, with good management and a purpose-built installation, the proposed development should have little impact in respect of noise, flies, vermin, odour, dust and light pollution. I recommend, therefore, the following conditions:
 - 1) Prior to the commencement of the development the applicant is required to submit an assessment carried out in accordance with British Standard 4142 to show that the noise from the livestock unit machinery, including

ventilation fans, will be unlikely to have an adverse impact on occupiers of nearby noise sensitive premises. The assessment shall include details of any mitigation measures to be implemented, for the approval of the Local Planning Authority.

- 2) Prior to the operation of the livestock unit within the application site, the applicant is required to submit a detailed fly, odour, dust and waste Management Plan to the Local Planning Authority for approval in writing and following its approval the operation of the livestock unit shall be carried out at all times in compliance with it.
- 3) No means of external lighting shall be installed or attached to the livestock unit except in accordance with details of an illumination scheme (to include luminaire types, position, height, aiming points, lighting levels and a polar illuminance diagram, based on the vertical plane to reflect impact on surrounding residents) which shall have been submitted to and approved in writing by the Local Planning Authority and shall be implemented and retained as approved. No external floodlighting shall be installed within the site.

Reason: To protect the residential amenities of occupiers of nearby properties from noise, flies, odour, dust and light that might arise from the operation of the livestock unit within the site.

Environment Agency

- Do not wish to object but please see our comments below.
- Only clean, uncontaminated surface water should be discharged to soakaway or sewer.
- The applicant should ensure that there is no possibility of contaminated water discharging to surface or underground waters, as this is an offence under the Environmental Permitting Regulations (2010). They should also be aware that if pollution does occur as a result of activities on the site, this may lead to prosecution.
- The proposal is to house 16,000 birds; therefore the operation will be below the permit threshold of 40,000. Should the applicant wish to expand the facility in the future to house 40,000 birds, they will need to apply for an Environmental Permit.

Natural England

- No objection – no conditions requested
- This application is in close proximity to Gypsy Camp Meadows, Thrandeston Site of Special Scientific Interest (SSSI). Following the submission of further information by the applicant regarding potential air quality issues as requested in our previous response (our ref: 139890, dated 9th January 2015), Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

SCC Landscape

Site Location and proposed building

- The site is located to the south of the Old Bury Road and at the 35 metre contour. The land rises gently to the south. To the north of the road the Special Landscape Area (SLA) wraps around Place Farm and Tyrells Farm. The site itself lies outside the SLA.
- The landscape type is Rolling Valley Claylands (LCA landscape type 17) with guidance provided on the web site. The landscape management guidelines of particular relevance are as follows:
 - Recognise localised areas of late enclosure hedges when restoring and planting hedgerows.
 - Maintain and increase the stock of hedgerow trees.
 - Increase the area of woodland cover; siting should be based on information from the Historic Landscape Characterisation and in consultation with the Archaeological Service.
- The proposed building will have a relatively low profile with a height of 3.0 metres to eaves and 5.2 metres to ridge height. The colour is proposed to be Juniper green which is acceptable in terms of suitability in the landscape. Feeder bins should be coloured to match. The orientation of the unit will mean that views will generally be limited to those available from the roadside through the hedgerow (especially in winter) and through the vehicle access points off the road. The upper section of the building is likely to be visible from the west when the mounds of soil are graded to a more suitable profile. The two bunded reservoirs provide some screening to views of the site from the south and south east including from the Grove Lane track, public footpath. This is the only public footpath in the immediate locality. Views from properties to the north and east of the site will be restricted by the presence existing hedgerows and the new planting proposed within and around the range area.
- I would expect that exterior site lighting would be limited to security lights on the building and that there would be minimal lighting for the site parking area. I would hope that site lighting could be turned off at the end of the working day; this would ensure that the night time impact of the proposed unit would be negligible.
- There is a proposal to divert the overhead lines which cross the proposed site. I would advise that the diverted route should be carefully chosen to avoid conflict with hedges, trees and proposed planting locations.

Landscape matters

- The west boundary of the site is identified on the ground by the post and wire mesh fence. I understand that within the area to the west of the proposed unit the mounds of soil will be regraded with some surplus material removed and placed on the fields. I suggest that a softly profiled mound at a variable but maximum height of 3 metres be created. This could be seeded or left to naturalise as grass with wild flowers.
- I recommend that a new mixed hedge (such as hawthorn with some smaller amounts of blackthorn, field maple, hazel, dogwood, holly and spindle) be

incorporated on the west boundary; this can link into the existing hedge to the south. New trees such as oak, hornbeam and field maple could be added to the east side of this hedge between it and the mound. I would not recommend planting on the mound itself as this would not be in character with the landscape.

- I note that it will not be feasible to combine the two access points which currently exist due to operational constraints. I have suggested that some new planting be inserted alongside the access track to the reservoirs and around the car park; this will help with screening of the unit.
- The unit will be located close to the historic green lane track, a remnant of which remains. There appears to be some 8 – 10 metres gap alongside the east elevation with the pop holes and at the southern end of the unit. It is important that the unit construction and subsequent use does not jeopardise the track and hedgerows. The distance proposed should be sufficient to ensure there is no conflict. Site ground levels should be maintained alongside the hedge. There is scope to carry out some hedgerow management, including the removal of all redundant plastic guards. Ideally the ditch along the east side of the track leading into the pond would be restored and managed.
- I welcome the introduction of new planting into the range area and have suggested that this be positioned to:
 - Reflect former hedgerow alignments
 - Enclose the southern boundaries of the range area with hedging
 - Develop small copses to enclose views of the unit and provide cover for the chickens
- The final detail of this planting can be dealt with by a landscape condition. The larger blocks of planting shown on the Range Planting Scheme plan (IP/DL/04) are likely to appear incongruous with the historic landscape pattern but could be refined to ensure greater suitability.
- I have considered the Policy CL13 relating to this recommendation is Policy CL13 which reads as follows:
 - Where a new agricultural building is proposed, it should normally be sited within or adjacent to existing farm building groups and be sympathetically related to them in style, size and use of building materials. **The building is on the southern side of the road but will not be unrelated to the existing farm complex.**
 - Agricultural development should have regard to its effect on the visual amenity of the landscape and the desirability of preserving known archaeological sites and sites of recognised nature conservation value. **The proposal will be accompanied by new planting and will result in the site being improved following removal of redundant structures and spoil mounds.**
 - A scheme of landscaping should be prepared as part of any development. In cases where a new agricultural building cannot be integrated within existing groups, particular care should be given to its setting in the landscape and avoiding intrusion on the open skyline. **There will be a comprehensive scheme of planting submitted as part of a planning condition should approval be forthcoming.**

- I conclude that in terms of landscape impact the free range unit should, subject to careful construction and new planting sit comfortably in the landscape without undue detrimental impact. I am content that the application can be approved. The proposal will offer opportunities to deal with some of the unattractive elements of the site as well as to undertake positive hedgerow management and new planting.
- Should the LPA be minded to approve this planning application then I advise the following conditions, requiring further detail be applied to the planning permission:
 - Detail / controls relating to exterior lighting
 - Detail of a comprehensive planting scheme to include new planting within the red line of the application and the offsite proposals within the range area and west of the building. Such a scheme should be fully specified and include basic management notes and an implementation timetable.
 - Implementation of the landscape scheme, I recommend this takes place in the first planting season following the construction of the unit.
 - Colour of the building and feed bins to be deep green or brown (or as currently specified in the planning statement).

Suffolk Wildlife Trust

- based on the information provided the proposal does not appear likely to have any adverse impact on protected species or designated habitat or Suffolk Priority habitats or species.
- We therefore have no further comment on this application.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. Twelve letters and emails of representations have been received from interested local residents.

Their representations can be summarised as follows:

- Highways Issues - increase in HGV traffic through Stuston village use of increase in vehicular movements
- Scale of proposal not in keeping with the size of the village
- Adverse visual impact in close proximity to village
- Potential odour problems as prevailing wind will be towards nearest residential properties on Old Bury Road will degrade quality of life for residents of Stuston
- Likely problem with vermin and flies from chickens in shed and on the field
- Proximity to existing residential dwellings, livestock buildings 400m from residential properties, this proposal would be only 100m.
- Reduction of property prices
- Potential for future expansion, other similar egg businesses in locality have expanded
- Large building will present an industrial appearance on approach to village from west
- Existing hedge looks to inhibit easy access to range zone for birds
- Other chicken units in locality further away from residential areas
- Proximity to village and prevailing wind makes odour an issue
- Potential problems with houseflies associated with poultry manure.

A petition signed by 33 local residents has been received requesting rejection of application 3844/14

Two letters of support for the proposal have been received

ASSESSMENT

8. In assessing this application, the key criteria are as follows:

- Principle of development
- Environmental impacts
- Impact in residential amenity
- Highways and transport issues
- Landscaping
- Visual impact
- Security and welfare

Principle of Development

This proposal for a free range poultry building constitutes an agricultural use which as a matter of general principle is favoured in a countryside location and supported by Policy CS2 of the Core Strategy and paragraph 28 of the NPPF which supports the development and diversification of agricultural businesses. The applicant already operates an established arable based farming enterprise at Place Farm which extends to 284 ha (700 acres), the proposal is a diversification into free range egg production. The free ranging of hens on the land does not require planning permission. Notwithstanding this general point, the proposed development has to satisfy the relevant policy criteria in order to be acceptable.

In so far as the siting of the building is concerned, Policy CL13 of the Local Plan advises that where a new agricultural building is proposed, it should normally be sited within or adjacent existing farm building groups. The application site is located in close proximity to the main complex of farm buildings which are approximately 60m to the north. The siting of the building enables the hens to have access to range over the adjacent open field which comprises approximately 8ha of open land.

Environmental Impacts

The Environment Agency and MSDC Environmental Health Officers have confirmed the acceptability of the proposed development in respect of, subject to appropriate conditions to safeguard amenity.

With regard to surface water the Environment Agency advise that the applicant should ensure that there is no possibility of contaminated water discharging to surface or underground waters. This would be an offence under the Environmental Permitting Regulations (2010) and could lead to prosecution if pollution does occur. The proposal to house 16,000 birds would be below the permit threshold of 40,000.

Concerns have been raised by local residents with regard certain environmental impacts of the proposal relating specifically to odour and vermin/flies related to the use of the building and the storage of associated manure waste. With regard to odour from manure, the proposal intends to use a system of manure collection which would be emptied on a twice weekly basis to prevent any build up which could create an odour nuisance. The manure would be stored on the land in designated heaps on the farm, prior to dispersal on the land as an organic fertiliser.

The Environmental Health Officer has fully assessed the application and raises no objection to the proposal subject to a condition requiring the submission of a Management Plan concerning manure collection and disposal in order to minimise the potential for there to be an adverse impact upon the amenity of local residents.

In addition, the proposed shed is intended to be ventilated with mechanical fans in the roof. The Environmental Health Officer does not object to this but has requested a condition requiring the submission of a Noise Assessment which should include the method of noise mitigation to minimise any potential noise impact arising from the use of mechanical fans.

Impact on residential amenity

Concerns have been expressed by local residents with regard to potential odour and vermin issues arising from the use of the building and associated land for the free range of the hens. The nearest residential properties, apart from the Stuston Place farmhouse, are approximately 100m from the proposed shed and it is acknowledged that the land proposed for the range area for the hens is located to the rear of residential properties. The provision of 8ha of land for 16,000 hens is in accordance with accepted standards for such enterprises. As stated above, the proposal has been considered by the Environmental Health Officer and no objections have been raised with regard to odour subject to the submission of a Management Plan. With the type of free egg production unit proposed the chickens are not kept in an intensive environment, and with proper management of removal of waste from the shed, there is likely to be no build up of to cause an odour problem for local residents. In practice, it is normally the case that odour from inside a unit of this type is not apparent outside of the building. Additionally, given the extent of land available for the hens to range over there is minimal likelihood of odour being an issue. With regard to potential vermin associated with the unit, this is a matter which is capable of being effectively dealt with by effective management of the unit. Overall it is considered that the concerns raised by residents with regard to impact upon amenity can be addressed by the implementation of an agreed Management Plan relating to odour.

Highways and Transportation

The site is served by an existing vehicular access from the Old Bury Road. The proposal would generate a number of HGV and other commercial non-HGV traffic. The most frequent vehicles would be for egg collection (19 tonne rigid lorry - 7 per fortnight). The largest vehicles would be 38 tonne articulated lorries for the delivery and removal of birds (4 lorries - every 14 months). Feed delivery would be every 10 days by 32 tonne lorry. The proposed commercial traffic averages 6.2 (13 movements) per week. Manure removal would be by tractor

and trailer twice a week.

Concerns have been expressed by local residents that the proposal would result in an increase in lorry traffic through the village, to the detriment of road safety. In response to these concerns, to minimise impact upon the village the application is supported by a lorry routing plan which indicates that the lorries visiting the site would access/egress the site from the west using the junction with the A143. In conjunction with the infrequency of HGVs it is not considered that the proposal would result in significant loss of amenity. The Highway Authority has confirmed that the frequency of vehicle movements and proposed routing is acceptable from a highway safety viewpoint and raise no objections.

Visual Impact and Landscaping

The site is located in an area of open countryside and Policy CL13 of the Local Plan requires that new agricultural buildings should be closely sited to existing farm groups, development should have regard to effect on visual amenity of landscape, and a scheme of landscaping should be prepared in conjunction with any development. The application has been assessed by the SCC Landscape Planning Officer in the context of Policy CL13 of the Local Plan and she concludes that the building would be on the southern side of the road but not unrelated to the existing farm complex, the proposal would be accompanied by new planting and would result in the site being improved following the removal of redundant structures and spoil mounds, and a comprehensive landscaping scheme should be required by a condition on any approval given. Existing established planting in the form of hedging provides screening which would be able to be supplemented with additional planting. Therefore it is considered that the proposed unit should sit comfortably in the landscape without undue detrimental impact. No objection is raised by the SCC Landscape Officer on landscaping grounds. It is considered that the proposal accords with Policy CL13.

Security and welfare

There is a need for farm personnel to have easy access to the proposed shed in order to undertake necessary regular checks on chickens and deal with any problems which may arise which could impact upon the welfare of the birds. The main farmhouse is located approximately 100m from the shed. This is a distance which is close enough to enable easy accessibility in case of an emergency. Additionally there is a need to have accessibility to monitor the delivery and collection of eggs. It is considered that the siting of the shed in close proximity to the farmhouse is necessary to meet animal welfare requirements and security.

Conclusion

The proposal represents a significant diversification of this established agricultural enterprise which is currently primarily an arable farm with no livestock. No objections have been received from the Environmental Health Officer, Environment Agency, Highway Authority, Landscape Officer or Natural England. Representations from local residents raising concerns with regard to the proposal have been considered however, it is considered that the proposal conforms with adopted policy and guidance contained in the NPPF which permits agricultural development in the countryside.

RECOMMENDATION

That Full Planning Permission be granted subject to the following conditions:

1. Time limit
2. Development in accordance with approved plans and supporting documents
3. Landscaping scheme and management to be agreed and implemented within application site and off site within applicant's ownership
4. Facing and roofing materials as specified
5. Existing vehicular access to be retained
6. Means to prevent surface water drainage onto to highway to be agreed
7. Details of external lighting of the building to be agreed
8. No external flood lighting permitted
9. Noise assessment to be agreed and implemented
10. Fly, odour, dust and waste Management Plan to be agreed and implemented

Philip Isbell
Corporate Manager - Development Management

Stephen Burgess
Planning Officer

APPENDIX A - PLANNING POLICIES

1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review

Cor2 - CS2 Development in the Countryside & Countryside Villages

Cor5 - CS5 Mid Suffolks Environment

CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

2. Mid Suffolk Local Plan

HB1 - PROTECTION OF HISTORIC BUILDINGS

GP1 - DESIGN AND LAYOUT OF DEVELOPMENT

CL8 - PROTECTING WILDLIFE HABITATS

CL13 - SITING AND DESIGN OF AGRICULTURAL BUILDINGS

CL14 - USE OF MATERIALS FOR AGRICULTURAL BUILDINGS AND STRUCTURES

CL15 - LIVESTOCK BUILDINGS AND RELATED DEVELOPMENT

3. Planning Policy Statements, Circulars & Other policy

NPPF - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letter(s) of representation(s) have been received from a total of **12** interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

The following people **commented** on the application: