

10/17/0015

MR R BATCHELLOR

**Erection of extensions to free range poultry shed with associated works and formation of access at Higher Willand Farm, Churchstanton**

Location: HIGHER WILLAND FARM, WILLAND ROAD, CHURCHSTANTON,  
TAUNTON, TA3 7RL

Grid Reference: 319649.11375

Full Planning Permission

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## **Recommendation**

**Recommended decision: Conditional Approval**

### **Recommended Conditions (if applicable)**

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

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

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

(A3) DrNo PA-001 Rev A Site Location Plan  
(A3) DrNo PA-002 Rev A Block Plan - Landscaping & Planting Scheme  
(A3) DrNo PA-100 Rev A Elevations 1  
(A3) DrNo PA-101 Rev A Elevations 2  
(A3) DrNo PA-200 Rev A Floor Plan  
(A3) DrNo PA-201 Rev A Roof Plan  
(A3) DrNo PA-300 Rev A Site Sections  
(A3) DrNo PA-400 Rev A Indicative Perspective  
(A3) DrNo PA-500 Rev A Proposed Entrance From Existing Farm Access Way

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

3. There shall be no external lighting of the site without the prior written consent of the Local Planning Authority.

Reason: To protect the visual amenity of the locality in accordance with the requirements of policies DM1 and CP8 of the Core Strategy.

4. (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and

numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.

- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

- 5. There shall be no obstruction to visibility greater than 900mm above the adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43m either side of the access.

Such visibility shall be fully provided before the new access is brought into use and shall thereafter be maintained at all times in the approved form.

Reason: To ensure suitable visibility is provided and retained at the site access, in the interests of highway safety.

- 6. Before the proposal hereby permitted is first occupied a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety.

- 7. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before works commence on site and thereafter maintained at all times.

Reason: In the interest of highway safety.

- 8. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 12 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interest of highway safety.

9. The development hereby permitted shall not be commenced until details of a wildlife enhancement scheme to enhance the site for bats has been submitted to and approved in writing by the Local Planning Authority. Once approved the works shall be implemented in accordance with the approved details and timings of works unless otherwise approved in writing by the Local Planning Authority and thereafter permanently maintained.

Reason: To enhance the site for wildlife in accordance with policy CP8 of the Core Strategy.

#### Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

## Proposal

The application proposes the construction of extensions to a poultry shed with associated works and formation of access. The original building was permitted as a prior notification approval reference 10/17/0010/AGN. The building is proposed for a new egg production unit. The overall building will measure approximately 71m long by 27m wide, with a height of 7.6m to the top of the ridge. The proposed materials would be green corrugated profile metal cladding for the walls with grey corrugated profile roof sheeting. The building will be able to accommodate up to 16,000 free range laying birds.

The application also involves the creation of a new vehicular access onto the existing farm track, which provides access to the highway.

The application is referred to Committee for a decision as the application was considered to require an Environmental Impact Assessment (EIA), which has been submitted for assessment with the application.

## Site Description

The site is located in an area of open countryside, in the Blackdown Hills AONB, within the agricultural holding of Higher Willand Farm. Access is via an existing track from the farm yard, running north to the road.

## Relevant Planning History

10/11/0025 - Erection of agricultural building to house cattle - Approved - 10 October 2011

10/12/0034 - Erection of agricultural building over cattle feeding area - Approved - 20 December 2013

10/17/0010/AGN - Prior notification for the erection of agricultural building for the purposes of free range egg production - Approved - 7 April 2017

## Consultation Responses

### *CHURCHSTANTON PARISH COUNCIL -*

- Concern regarding contaminated water, carrying disinfectant from change over and clean out procedures and also water used for cleaning vehicle wheels. Where will this be stored/collected and how will this be disposed of? Concern that it may enter into main ground water system. It is not acceptable to allow disinfectant to enter the ground water, particularly as this is used for domestic water supply by houses lower down the valley. All contaminated water needs to be collected and stored safely for proper disposal.
- No indication of where feed towers will be situated
- Accelerated water run off - how will this be captured. What protection is in place for Stapley?

*SCC - TRANSPORT DEVELOPMENT GROUP -* The proposal sits off a private no through road which adjoins a classified unnamed road. The speed limit of the classified road is derestricted, although observed speeds appeared to be approximately 30mph.

It is in the opinion of the Highway Authority that the proposal will generate a material increase onto the local highway network mainly through recruiting additional employees and seeing an increase in egg production.

Visibility to the west from the proposed access point is acceptable, although looking east visibility appears restricted by the hedgerow. However, given that the hedgerow seems to be under the applicants control, visibility splay could be improved to a suitable scale using appropriate design guidance.

The current access consists of loose material and entrance gates sited a little under 5m back from the highway. Given that there will be a material increase in traffic movement including HGVs and for the interest of highway safety the Highway Authority would like to see the first 5m of the access from the highway is consolidated and the entrance gates repositioned further back from the highway.

On balance of the above, the proposal would not appear likely to result in a significant increase in vehicle movements to the site, nor would it appear to have a detrimental effect on the existing highway network

*NATURAL ENGLAND -* Natural England has no comments to make on this proposal other than to support a condition requiring the planting of native species and fruit trees to enhance biodiversity and provide a screening effect in the long term.

*LANDSCAPE OFFICER -* The proposed building appears quite isolated in the landscape. Could it not be positioned closer to the existing agricultural building on site? It will not be easily viewed from the public road to the north due to existing banks and existing mature ash trees but it will be viewed from the public road to the west. Orchards are not characteristic of the area but the proposed orchard will help to soften the building. In addition I consider some native tree and hedge planting along the track to the west will help screen the site further.

*ENVIRONMENT AGENCY -* As this farm is planning on keeping less than 40,000 chickens, it does not need an Environmental Permit. So its largely Code of Good

Agricultural Practice (COGAP) advice and guidance that relates to them:  
<https://www.gov.uk/government/publications/protecting-our-water-soil-and-air>.

This farm is not immediately close to a river so there shouldn't be any diffuse pollution concerns, provided the chickens are kept on the east of the nearby road and stream. Buffers and fencing would be preferred if they go nearer to the stream.

Any oil storage, slurry wastes, farmyard manure etc. should be properly contained, compliant with Storing Silage and Agricultural Fuel Oil (SSAFO) regulations and CIRIA if built:  
<https://www.gov.uk/guidance/storing-silage-slurry-and-agricultural-fuel-oil>.

It is recommended that any wash water from the cleaning of the buildings be properly contained.

This proposal is not within a Nitrate Vulnerability Zone.

*BIODIVERSITY* - i agree that the proposal is unlikely to impact greatly on wildlife (especially if lighting is restricted) and that proposed landscaping will result in biodiversity benefits. I support the erection of the bat boxes.

*BLACKDOWN HILLS AONB SERVICES*- Although large, the siting of the building within a well-defined field setting makes use of local topography to reduce overall height and minimise wider landscape and visual impact. This part of the plateau has intermittent farms with large modern agricultural buildings, locally with well-established hedges and mature hedgerow trees, and the proposed building would be seen in this context. Physically, there are only limited local vantage points. Matters such as materials and colour and attention to existing and proposed trees and hedgerows around the building and wider farm will be critical factors in how readily the proposal will be assimilated into the wider landscape.

*ENVIRONMENTAL HEALTH - NOISE & POLLUTION* - No comments received

## **Representations Received**

No comments received

## **Planning Policy Context**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP1 - Climate change,  
CP2 - Economy,  
CP8 - Environment,  
DM1 - General requirements,  
DM2 - Development in the countryside,  
ENV1 - Protection of trees, woodland, orchards, and hedgerow,  
SD1 - Presumption in favour of sustainable development,

This takes into account the recent adoption of the SADMP.

## **Local finance considerations**

### **Community Infrastructure Levy**

The proposal does not attract an infrastructure levy.

## **Determining issues and considerations**

The main issues with the proposed new poultry units are the impact on the character of the area, the amenity of nearby properties, the surface water provision and any impacts on SSSI's and wildlife.

The farm has an established poultry production unit which has been in operation for a number of years. The existing poultry unit at Higher Willand Farm consists of 8,500 layers, with a second unit of 11,500 layers at Highland Farm. Both units are operating at capacity and the eggs are sold under wholesale contract. The proposed building will accommodate approximately 16,000 free range layers and operate on a similar model to the existing poultry buildings.

There have been no objections on amenity grounds from neighbours. The new poultry house will be located some distance from the nearest residential property. Landscaping around the building is proposed which would help to screen the building from wider views. Natural England has requested the inclusion of a condition requiring the planting of native species and fruit trees. Details are required regarding the hedge planting and bank at the access point.

No comments have been raised by the Environmental Health Officer. The Environment Agency has indicated that given the size of the unit an Environmental Permit is not required. However, they have indicated that the proposed use should comply with the Code of Good Agricultural Practice (COGAP) and has required measures relating to the containment of wash water. It is considered that the issues raised by the Parish Council would be satisfactorily addressed by compliance with COGAP. The applicants submission indicates that no wash water is considered to be contaminated material.

The feed will be stored in purpose built bins within the building.

The proposed poultry house would comply with the requirements of policy DM1 and

DM2 of the Core Strategy. The site is for an agricultural use near an existing road. Conditions are proposed regarding the construction of the vehicular access. The design and scale are compatible with the rural area and it is considered that any pollution in terms of noise, odour and dust would not unacceptably harm public health, safety or the amenity of nearby dwellings, given the environmental controls on the site. Consequently the application is recommended for approval.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

**Contact Officer: Denise Grandfield**