

10/17/0022

AMBER REAL ESTATE INVESTMENTS LLTD

Replacement of 3 No. poultry buildings with 2 No. poultry buildings, service room and 3 No. feed bins at Churchinford Poultry Farm, Church Road, Churchinford

Location: CHURCHINFORD POULTRY FARM, CHURCH ROAD,
CHURCHINFORD, TA3 7DN

Grid Reference: 320865.113257 Full Planning Permission

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:

(A1) DrNo 200. 10 Site Location Plan & Existing Block Plan

(A1) DrNo 200. 11 Proposed Block Plan

(A1) DrNo 528-37-SK1 Proposed New Houses In Place Of Existing Houses 2,3 & 4

(A1) DrNo 020 GF & Roof Layouts

(A1) DrNo 021 Elevations

(A1) DrNo 022 Sections

(A1) DrNo 528-117-101 Drainage Plan

(A1) DrNo 528-117-102 Site Plan

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

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.

2. Your attention is drawn to the environmental permit relating to the site.

Proposal

The proposal is to demolish three old poultry sheds and provide two new ones that will provide more modern facilities for broiler chickens. The new sheds will be approximately 94m x 24m and 6m high while the replacement feed silos will be 7.5m high. The new units will be sited in the place of the existing ones and will result in a reduction in the capacity of the site by 3,400.

The applicaiton is referred to committee because the applicant has submitted an Environmental Statement and it must, therefore, be dealt with as EIA development.

Site Description

The existing site, to the north of Church Road heading out of the village, consists of a broiler unit producing birds for the table on a typical 40 day cycle. Allowing for a 6 day clean out period around 7-8 batches are reared per year. The site is surrounded by trees and is only visible from the access point.

There are currently 8 poultry houses on site and the last 2 had planning permission in October 2012, reference 10/12/0016.

Relevant Planning History

10/87/017 - Erection of three broiler houses, Churchinford Farm, Church Road, Churchinford - CA 11/2/88

10/12/0016 - Erection of two additional poultry houses and associated infrastructure including feed bins and hardstanding at Churchinford Poultry Farm, Church Road - CA 17/10/12

Consultation Responses

CHURCHSTANTON PARISH COUNCIL - No comments to make.

SCC - TRANSPORT DEVELOPMENT GROUP - Refer to standing advice.

LANDSCAPE - The existing units are already well screened from the public highway by existing hedgerows. As the development relates to their rebuild, I agree that landscape character will be unaffected.

BLACKDOWN HILLS AONB SERVICE - On the basis that this is redevelopment within the established unit and does not result in increased numbers of birds on this occasion we do not wish to submit any detailed comments in respect of impact on the AONB.

BIODIVERSITY - There are several protected sites (SAC and SSSI) located within 5-10 km of the site, so Natural England should be consulted on this application. Larry Burrows at the County council will be able to advise if a Test of likely significance is required.

The applicant has submitted an old survey to support the application (eco check Consultancy Ltd date April 2012). This survey was submitted in support of a former application to extend the site eastwards on an area of grassland. The report concluded that

- None of the habitats within the site interior or the species they contain are particularly ecologically rare or high quality. The combination of hedgerows, trees, woodland, earth banks and rank grassland do offer a range of foods and refuges to wildlife.
- No mammals, reptiles or amphibian subject to special protection have been identified as being resident on the site. It is considered that great crested newts, water vole, white-clawed crayfish and otter will not be present within or adjacent to the site given the lack of suitable habitat for these species both within the site and adjacent areas. There is the potential for the site to be used by bats, badgers, birds, dormouse and reptiles at least for foraging for food.

I agree that given the present proposal relates to a previously developed site and there are no changes being made to the established boundary hedges and trees, then no further assessment is necessary.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION -

ENVIRONMENT AGENCY - No comment received

NATURAL ENGLAND - Natural England considers that the main potential adverse effect of this proposal is air pollution on protected sites within 5km. We note that the number of birds to be housed in the replacement buildings is slightly less than the previous licence allowed. Therefore, provided that measures to minimise and mitigate air pollution are at least as effective as the previous measures Natural England has no objection to the proposal.

Representations Received

None

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

N/A

New Homes Bonus

The development of this site would not result in payment to the Council of the New Homes Bonus.

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 impact on SSSI's and wildlife.

The site is one that is well established as a poultry producer having been in operation for over 30 years. The site lies around 450m out of the village off the northern side of Church Road and is well screened by existing boundary trees. The boundary trees will be unaffected by the development and in light of this the two new poultry houses will be adequately screened and the proposal is not considered to have any adverse impact on the landscape character and appearance of the AONB.

There have been no objections on amenity grounds from neighbours and the new

poultry houses will be sited between existing poultry buildings and will not be visible to neighbours as they will be over 100m away. There are already poultry houses on site and the site, due to its age, has no restrictive planning conditions, although there is an environmental permit controlling the site. There is a planting belt of trees 11m wide between the site and the boundary screening the buildings.

The Environmental Health Officer has raised no objection and the main control is via the Environmental Permit covering the site. The Environment Agency has raised no adverse comments. The applicant's submission indicate that odour exposure levels are not likely to rise due to the scheme and should not lead to nuisance, annoyance or complaint, given mitigation and the need to comply with the Environmental Permit. The new buildings will have improved ventilation fans. Lorry feed deliveries will operate during working hours and the reduction in overall bird numbers will therefore mean the new units should not have a negative impact on noise generation from the site and will not result in any increase in traffic movements. It would appear from the information submitted that the new proposal would not increase traffic, noise and odour to warrant an objection to the scheme.

The proposal will utilise existing facilities to deal with both dirty water and clean surface water and the attenuation previously provided has not raised issues since its installation. The new development replaces three units with two and will not result in any greater hard surface area and so no increase in surface water run-off. The Environment Agency has raised no objection to the development.

A wildlife survey and ecological assessment has been submitted with the application as part of the EIA. The site lies within notifiable distance of a number of SSSI's and the comments of Natural England, therefore, on the impact of the scheme on these areas is crucial in the determination of the proposal. No objection has been raised in respect of the impact on the Quants Special Area of Conservation and other SSSI's in the area and the development in reducing overall broiler numbers will not impact on the area.

In summary the provision of two poultry houses to replace three existing ones are considered to comply with the policy requirements of Core Strategy policies DM1 and DM2 for general requirements and development in the countryside. The site is for an agricultural use near an existing road, it is compliant with the Habitats Regulations, it is a scale and design compatible with the rural area and it is not considered that any pollution in terms of noise, odour and dust would unacceptably harm public health, safety or the amenity of nearby dwellings, given the environmental controls of the site. If anything these impacts should reduce. 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: Mr G Clifford