

Appendix A

Rossendalealive

BOROUGH COUNCIL

ITEM NO. B3

Application No: 2008/0082	Application Type: Full
Proposal: Erection of Free Range Egg Production Unit (12,000 sq m)	Location: Hey Head Farm, Rochdale Road, Bacup.
Report of: Planning Unit Manager	Status: For Publication
Report to: Development Control Committee	Date: 15 April 2008
Applicant: Mr. Paul Harrison	Determination Expiry Date: 2 May 2008

REASON FOR REPORTING Tick Box

Outside Officer Scheme of Delegation X

Member Call-In
Name of Member:
Reason for Call-In:

2010/633

3 or more objections received

Other (please state) Major

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights: -

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

APPLICATION DETAILS

1. The Proposal and the Site

Hey Head Farm is situated in the countryside to the east of the settlement of Bacup. It has an area of approx 35 hectares, the complex of buildings serving it accessed from Tong Lane.

The principal building on the site is a traditional stone-building, in use as 2 dwellings, with an attached barn. There are two large portal-frame agricultural buildings located to the west of the dwellings, one of which is currently being used for the breeding-plgs

and lambing of sheep, and the other for storing baled-hay and straw/general agricultural storage.

2. Relevant Planning History

Retrospective Planning Permission 2006/20 permitted the retention of the 2 portal-framed agricultural buildings, with an associated silage clamp, yard and a new access road on 8 March 2006.

3. The Current Proposal

The proposal involves the construction of a free range egg production unit to be located approximately 90m to the north east of the existing agricultural buildings and farmyard. The proposed building would be 85.4m long and 18.3m wide with an eaves height of 2.4m and a ridge height of 5.4m. The building would be of timber frame construction with external cladding in tongue and groove weatherboard. The roof material would be profile sheeting.

The proposed building would be used for the housing of free range laying hens together with associated egg collection and packing facilities and feed bins. The building would have a central store comprising of an egg store, egg collection point and packing area with accommodation for 6,000 birds on either side of the central store. Ventilation within the building would be fan assisted with side inlet vents and roof fans.

Access to the proposed building would be gained via Tong Lane by means of the track running immediately to the rear of the dwellings on the site. It is anticipated that the proposed use would result in the generation of 2-3 lorries visiting the site per week, for feed delivery, egg collection, bird delivery and bird collection.

The proposed building would be located on part of the field which forms a gentle slope from south to north. Due to its elevated position, the site is exposed to views from all directions.

In support of the application, the applicant points out:

- The market for Free Range Eggs is very strong, with demand currently outstripping supply and extremely good prices anticipated for many years to come.
- They currently farm 90 acres and operate a sheep flock of 170 ewes and rear approximately 55 calves per annum. The free range egg production will be a useful farm diversification.

4. Policy Context

Rossendale District Local Plan (Adopted 1995)

Policy DS5 - Development Outside the Urban Boundary & Green Belt

Policy E10 - Groundwater Protection

Policy C7 - Agricultural Buildings

Policy DC4 - Materials

Joint Lancashire Structure Plan

Policy 1 - General Policy

Policy 20 - Lancashire's landscape

Other Material Planning Considerations

- PPS1 - Sustainable Development
- PPS7 - Rural Areas
- PPG13 - Transport

5. CONSULTATIONS

LCC (Planning)

The proposal conforms to the relevant policies of the Joint Lancashire Structure Plan and the proposed development is therefore acceptable in principle subject to an appropriate landscaping scheme to mitigate the visual impact of the proposed building and enhance the landscape character of the area.

Nature England

No comments

LCC (Highways)

No highway comments.

United Utilities

No objection. United Utilities do not have any water mains or sewers close to the site.

RBC (Drainage)

No objection subject to conditions requiring the submission and approval of a scheme for the provision of surface water drainage works.

RBC (Environmental Health)

No objection subject to conditions relating to the clearing out of the Unit and removal of manure from the site.

6. REPRESENTATIONS

To accord with the General Development Procedure Order the application has been publicised by way of a newspaper notice, site notices and letters of 14/2/08 to the relevant neighbours

One letter raising objection has been received from the residents of Moorview Farm. The points made are:

- The noise of so many hens along with all the activities required to support them will significantly increase noise levels and affect sleeping patterns of our children.
- We have already experienced the noxious smells that were caused by the deposit of chicken manure on a muckheap adjacent to our house.
- The prevailing wind will pretty much guarantee that we will always be able to smell and hear the 1200 chicken units.
- We already have to listen to heavy plant machinery and HGV's 7 days a week and increasingly during the night and early morning. We can only assume that this activity will increase significantly as a result of this application.

7. ASSESSMENT

In dealing with this application the principal issues to consider are as follows :

- 1) Principle; 2) Landscape Impact; 3) Neighbour Amenity; & 4) Access.

Principle

The application site lies in a Countryside Area, wherein national and local plan policy do not seek to restrict agricultural development so long as it is reasonably necessary for the purposes of agriculture within the unit and seeks to minimise its impact on visual and neighbour amenity, highway safety, etc.

The LCC Property Group were commissioned by the Council to undertake the necessary assessment to establish whether the various elements of work for which permission is now sought are 'reasonably necessary for the purposes of agriculture within the unit'. It advises that:

- The scale of the proposed building relates to the size of the intended flock having regard to the RSPCA Freedom Goods Welfare Criteria applicable to free range egg enterprises and is proportionate to the landholding.
- The proposed site is somewhat detached from other buildings on the farm, but meets the operational needs of the enterprise and this siting has the benefit of the backdrop of the hillside to reduce its visual impact.
- The design of the building is to a standard specification which essentially reflects that of most conventional modern agricultural buildings. The timber boarded sides are appropriate, although given the building's elevated position, the timber would benefit from being stained in order to more quickly give it a weathered appearance.
- The location of the building is sited away from neighbouring properties and it is not considered the proposal would have an adverse effect upon the amenities of these properties.

Having regard to the above, it is considered that the proposed development is reasonably necessary for the purposes of agriculture within the farm unit.

Landscape Impact

The site is situated in a Moorland Fringe area, with rolling landscape of predominantly sheep-grazed marginal pastures divided by stone walls, with the occasional quarry, pylons etc. It is considered that the proposed agricultural unit would not detract unacceptably from the character of this essentially open and rural area, subject to implementation of a suitable scheme of landscaping and dark-staining of the timber-boarding.

Neighbour Amenity

The proposed development would be located approximately 125m away from the objectors' farmhouse, called Moor View. Due to the separation distance, and the orientation of the adjacent residential properties, the Environmental Health Officer has raised no objection, subject to the conditions detailed below. I have no reason to believe the proposed development would result in an unacceptable loss of amenity by reason noise, smells, etc for any neighbours. It is considered that the concerns expressed by the residents of Moor View in this respect do not justify the refusal of planning permission.

Access

Access to the site would be gained via the recently-constructed road from Tong Lane. It is considered that the additional vehicle movements likely to be generated by the

proposal would not be detrimental to road safety. LCC(Highways) has raised no objection to the proposal.

8. Summary Reason for Approval

The proposal relates to an agricultural use which is considered appropriate within the Countryside, in accordance with the saved Policy DS5 of the adopted Rossendale District Local Plan. It is considered that that the proposed development would neither unduly impact upon visual or neighbour amenity, or highway safety. Therefore, the proposed development is in accordance with Policies 1 and 20 of the Joint Lancashire Structure plan and the saved Policy DS5 and the criteria of Policy DC1 of the Rossendale District Local Plan.

9. RECOMMENDATION

That permission be granted 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
Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
2. The development shall be carried out in accordance with plans numbered IP-01, IP-02 and 07K117 E received on 14 February 2008.
Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.
3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority. Prior to first use of the building the timber-boarding shall be stained dark brown, unless otherwise first agreed in writing by the Local Planning Authority.
Reason: To ensure that the development will be of satisfactory appearance, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.
4. A scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall indicate the trees and shrubs to be planted to screen the buildings/yard hereby permitted, and detail the measures to be undertaken for their protection until established.
Reason: In the interests of the amenity of the area, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.
5. The approved scheme of landscaping shall be carried out in the first planting season following substantial completion of the building hereby permitted, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall

be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.

6. The building hereby approved shall not be brought into use until a scheme detailing means of periodic disposal of manure from the building has been submitted to and approved in writing by the Local Planning Authority. All manure shall therefore be disposed off in accordance with the approved scheme and in covered vehicles.

Reason: In the interest of odour and pollution control and in the interests of residential amenity of the area, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.

7. No cleaning out or manure disposal shall take place on Saturdays, Sundays or Bank Holidays and each clearing out event and manure removal shall take place within 2 days with no other storage or disposal of manure taking place on the site.

Reason: In the interest of odour and pollution control and in the interests of residential amenity of the area, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.

Contact Officer	
Name	M. Sadq
Position	Planning Officer
Service / Team	Development Control
Telephone	01706 217777
Email address	planning@rossendalebc.gov.uk



Jim Pick Associates
100 Pick St. (Rena) WRCB

Bill E. Stone
Dorinda
Lesi Yachiro
7025 6th
70/Res (9127) 25333
7025 6th/250

CLIENT

Mr. Paul Hancock
Raymond Patten
Brittany
Essex
CLAS OXF

JOB TITLE

Proposed free range
egg unit

DWG. TITLE

Block Plan

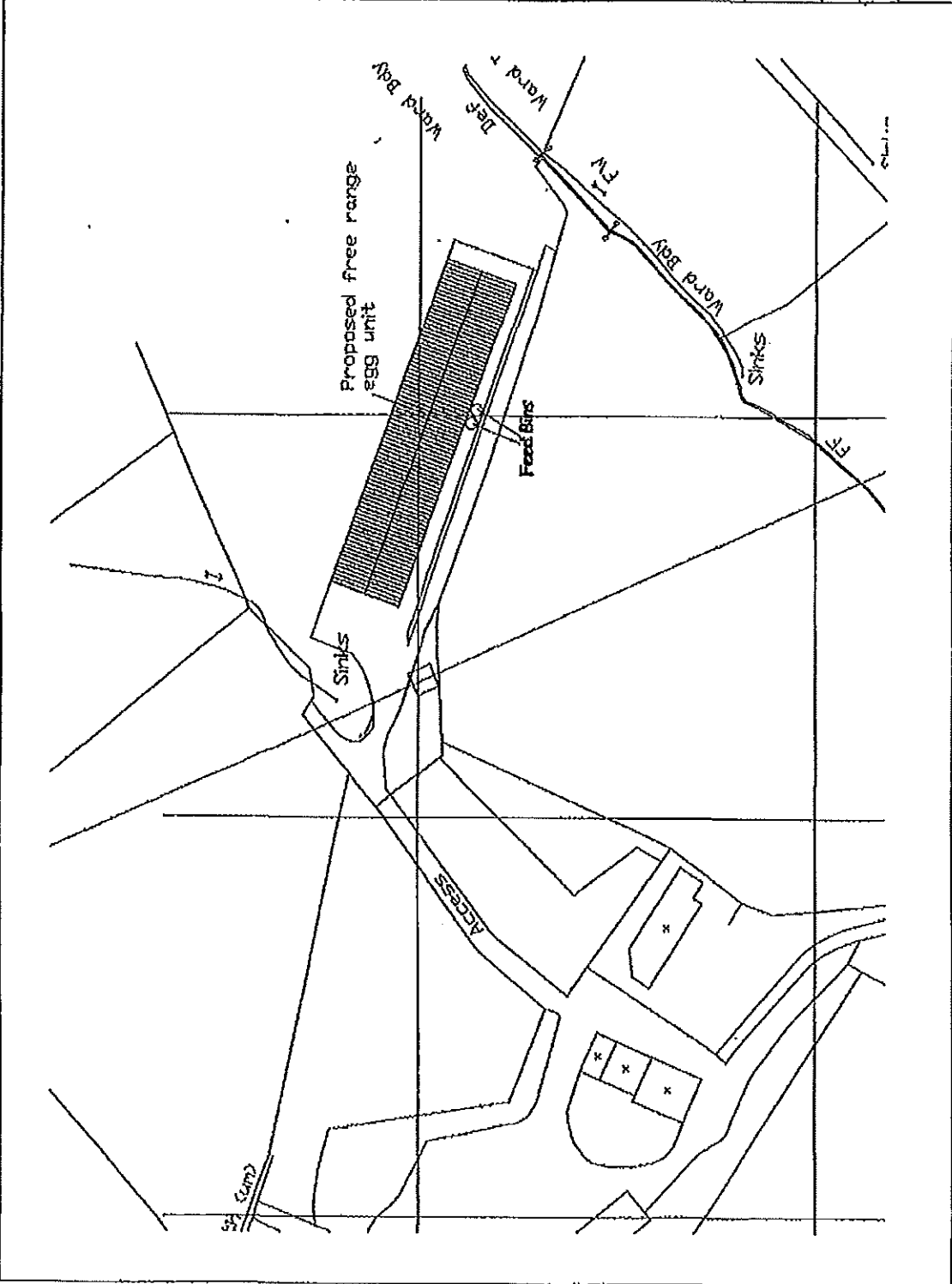
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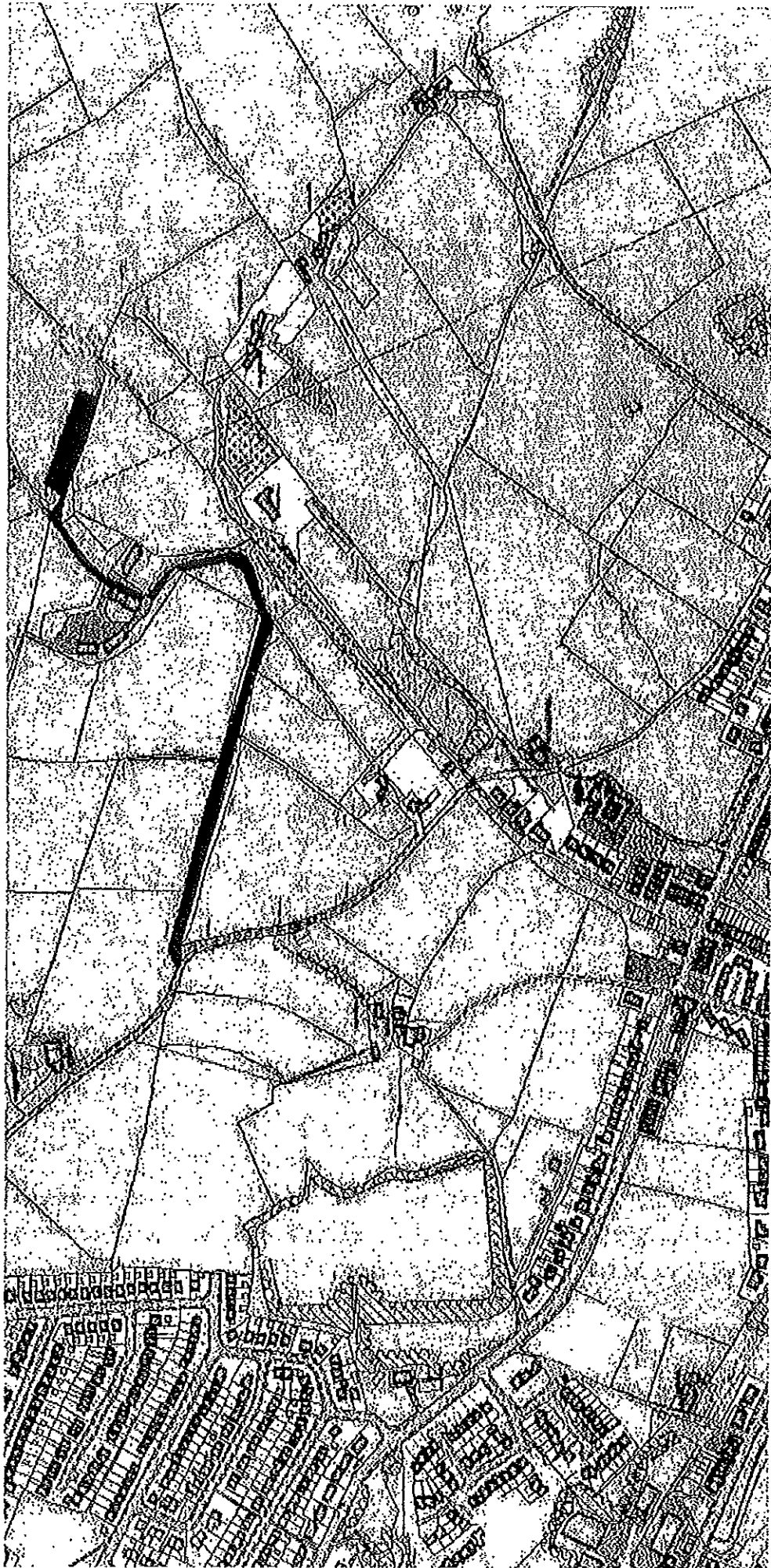
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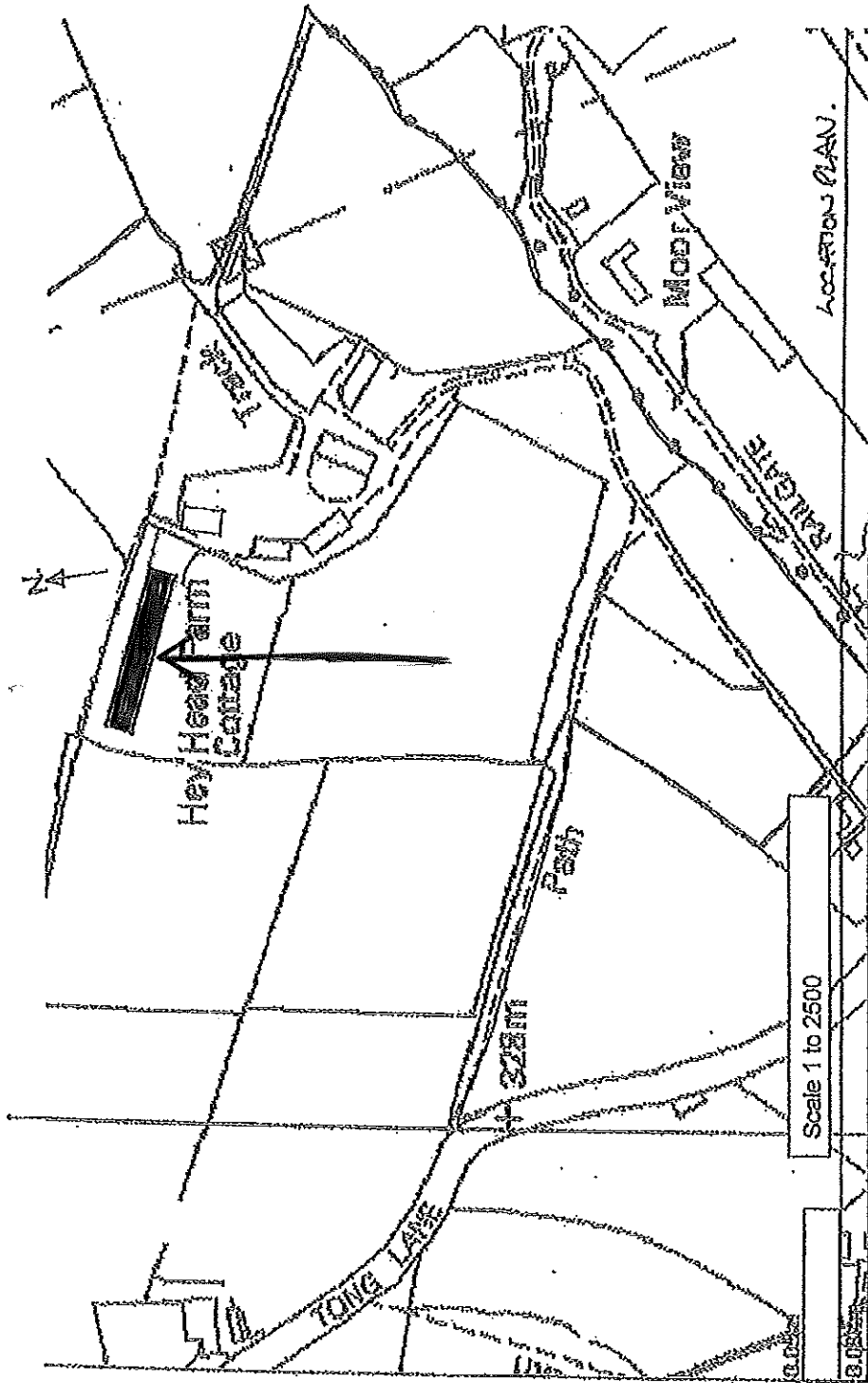
DWG. NUMBER DATE

IP-02 Sept 87





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Appendix B

Siting of
Building in
Application
2010/633

