

Rossendale Borough Council

Town & Country Planning Act 1990 Refusal of Planning Permission

Applicants Name: Mr P Harrison

Notice Recipient : Mr Steven Hartley
HPDA
Shallow Barn Lower Chapel Hill Hurst Lane
Rawtenstall
Rossendale
BB4 8TB

Part 1 - Particulars of Application:

Date Received: 08/12/2010 Application Number: 2010/0633

Proposed Works : Erection of poultry unit.

Location: Hey Head Farm Rochdale Road Bacup OL13 9XF

Part 2 – Particulars of Decision

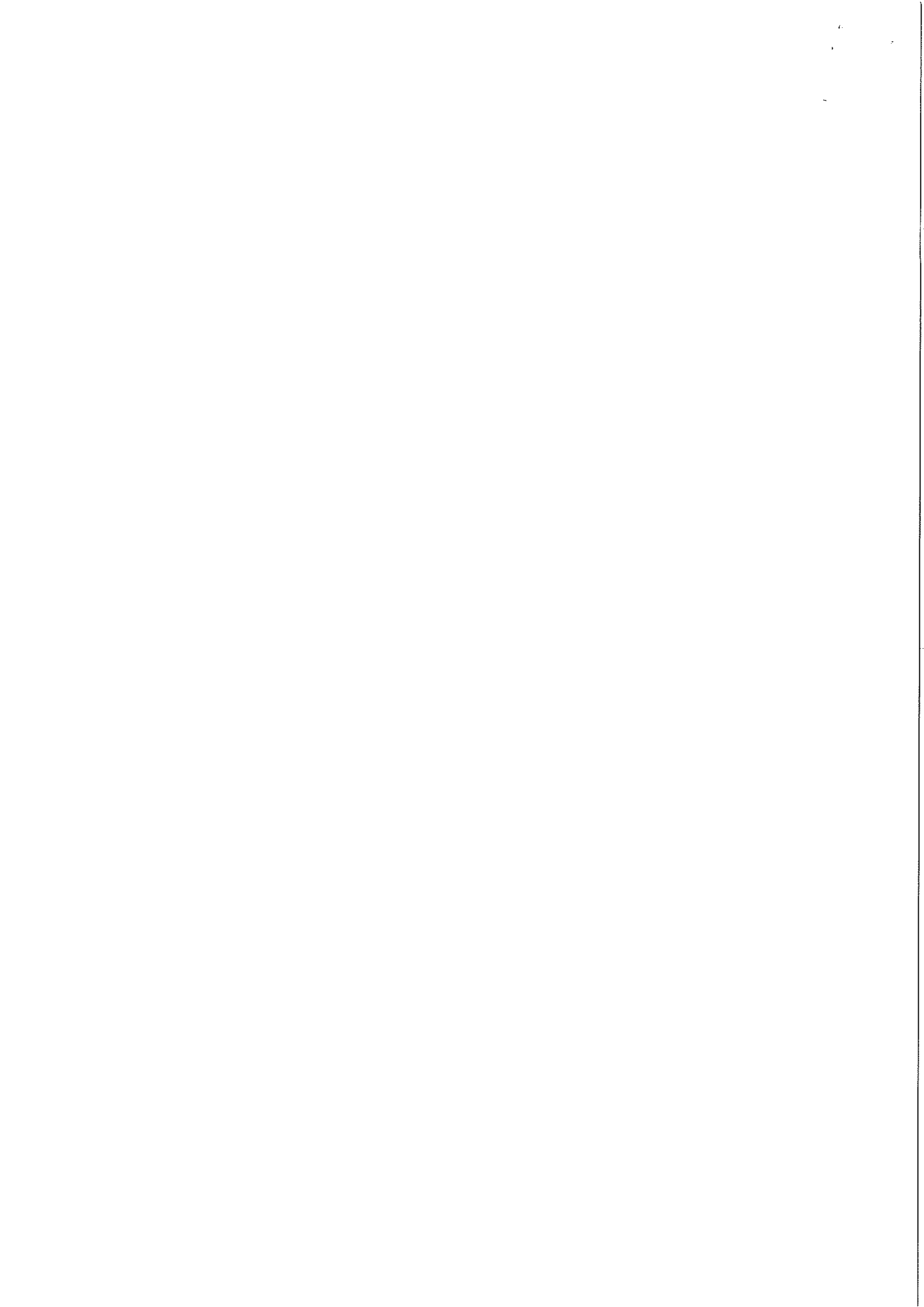
The Rossendale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990, that permission has been **refused** for the carrying out of the development referred to in Part 1 hereof for the following reason(s) :

- 1 The application site lies within an area of Countryside and the proposed building, by reason of its siting/size, will be an unduly prominent and obtrusive feature in the landscape and will unnecessarily and unacceptably erode the essentially open and rural character of the area. Thus, the proposal does not accord with the principles of 'good design' and as such, is contrary to PPS1 / PPS7, Policies DP1-9 / RDF4 / EM1 of the Regional Spatial Strategy for the NW of England (2008), and Policies DS5 / DC1 of the Rossendale District Local Plan (1995).

Date: 01 February 2011

Development Control
Town Centre Offices
Rawtenstall, BB4 7LZ

S.W. Stray
Stephen Stray
Planning Unit Manager



Delegated Case	Case Officer	M.Sadq
Date for Decision	2 February 2011	
Report written	31 January 2011	

Application No. 2010/0633

Proposal : Erection of poultry unit

At: Hey Head Farm, Rochdale Road, Bacup.

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

Currently an agricultural building is being constructed under planning permission ref. 2009/159 on the northerly part of the farm yard adjacent to the 2 portal-frame agricultural buildings.

Planning History

2006/20: Erection of 2 no. Agricultural buildings with associated silage clamp, yard and access
Approved

2008/82: Erection of a free range Egg Unit
Approved

2008/813: Change of use of part of yard to parking of five HG Vehicles
Refused.

2009/159: Demolition of 1no. agricultural building and erection of 2no. agricultural buildings
Approved.

2009/160: Change of use of part of yard to parking of five HGVs
Refused & Appeal Dismissed.

2010/204: Construction of part garage/part agricultural building
Refused & Appeal Dismissed

The proposal

The proposal involves the construction of a single storey egg poultry unit to be located approximately 30m to the north-west of the existing agricultural buildings and farmyard. The proposed building would be 85.47m long and 18.3m wide with an eaves height of 3m and a ridge height of 5.2m. The building would be of timber frame construction with external cladding in tongue and groove weatherboard. The roof material would be profile sheeting.

Prior to the construction of the building, levelled platform will be prepared by cut and infill excavations. The proposal also includes the creation of a hardstanding area, measuring approximately 15m x 15m along the easterly end of the proposed building.

The proposed building would be used for the housing of free range laying 27,500 birds together with associated egg collection, egg store and feed bins. The feeding system, egg collection and manure cleaning would be automated. Ventilation within the building would also be automatically controlled.

Access to the proposed building would be gained via Tong Lane by means of the track running through the farm yard. 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 to the west of the access track running through the farm yard, on part of the field which forms a gentle slope from north to south. There is a row of small trees along the rear boundary of the site set against the rising land. Due to its elevated position, the site is exposed to views from land to the south, east and west.

In support of the application, the applicant points out:

- The application conforms to the more welfare orientated legislation which will see the abolition of current battery egg production and will meet the demands and description of a different segment of the egg market.
- The proposed siting of the new poultry unit is on lower ground than the approved poultry unit and is less conspicuous in the landscape.
- The proposed building is more closely related to existing farm buildings.
- The proposed site is set against rising ground and against established trees.

Consultation Responses

LCC (Highways)

No objection

Notification Responses

A site notice was posted on 15/12/10 and the relevant neighbours were notified by letter on 9/12/10 to accord with the General Development Procedure Order.

A resident of the area has written to point out that the site has been addressed incorrectly and that a poultry unit already established on the farm.

Policy Context

National

PPS1 Sustainable Development
PPS7 Rural Areas
PPG13 Transport
PPG24 Noise

Regional Spatial Strategy (2008)

DP1-9 Spatial Principles etc
RDF2 Rural Areas
RT2 Managing Travel Demand
RT4 Management of the Highway Network
EM1 Environmental Assets

Rossendale District Local Plan

Policy DS5 - Development Outside the Urban Boundary & Green Belt
Policy DC1 - Development Criteria

Other Material Planning Considerations

4NW Draft Partial Review of the RSS
LCC Parking Standards
LCC Landscape Strategy for Lancashire

Planning Issues

Principle

The application site lies within a Countryside Area, wherein Policy DS5 of the Local Plan would preclude development other than for the purposes of agriculture, forestry or other uses appropriate to a rural area, unless for the rehabilitation and re-use of buildings providing that they comply with Policy DC1. The proposal relates to an agricultural building and it is considered that the proposed development is an appropriate use for a rural area. Therefore, the proposal is in accordance with Policy DS5 of the Local Plan.

Neighbour amenity

There are no residential properties other than two dwellings (one of them is the applicant's farm house) located approximately 80m away from the site. The views of the proposed building would be partially obscured from the nearest neighbours, due to the new agricultural building currently being built on the northerly part of the farm yard. As such it is unlikely that the proposal would detract to an unacceptable extent from the amenities of immediate neighbours.

Landscape Impact

The application site is situated in an isolated location away from the main farmstead containing the farm house, agricultural buildings/farm yard. It is situated to the north-west of the existing agricultural buildings/farm yard in an

elevated position at the top end of the field exposed to views from a considerable distance from the surrounding land. It is considered that the proposed building would extend the farmstead onto the essentially open and rural area of local distinctiveness and the intrinsic qualities of the countryside which is unacceptable. Furthermore, it is considered that the proposed building, due to its size/bulk/appearance (85.47m long, 18.3m wide 5.2m high ridge); would form a prominent and intrusive feature in the area and would unacceptably and unnecessarily erode the character and appearance of the area of Hey Head Farm. The building would be exposed to public view from the surrounding open land including the footpaths, and detract unacceptably from the character of this essentially open and rural area. As such it is considered that the proposal would unduly impact the visual amenity of the area which is unacceptable.

Although the applicant has proposed an amendment concerning relocation of the site, no information has been provided in the Design and Access Statement with regard to the alternative sites or reasoned justification for the proposed site. It is considered that the applicant has not advanced the case to warrant approval in this respect.

Highway safety


Access to the site would be gained via the recently-constructed road from Tong Lane and the access track running through the farm yard serving the existing agricultural buildings. Given the type of the access road, sparse development and the restricted nature of the additional vehicle movements likely to be generated by the proposal, it is considered that the proposal would not be to the detriment of highway safety. LCC (Highways) has raised no objection to the proposal.

Recommendation

Refuse

Reasons

The application site lies within an area of Countryside and the proposed building, by reason of its siting/size, will be an unduly prominent and obtrusive feature in the landscape and will unnecessarily and unacceptably erode the essentially open and rural character of the area. Thus, the proposal does not accord with the principles of 'good design' and as such, is contrary to PPS1 / PPS7, Policies DP1-9 / RDF4 / EM1 of the Regional Spatial Strategy for the NW of England (2008), and Policies DS5 / DC1 of the Rossendale District Local Plan (1995).

CASE OFFICER..... 

DC PRINCIPAL PLANNER..... 

Rossendalealive

BOROUGH COUNCIL

175038
670:00
18/12/10

Application for Outline Planning Permission With Some Matters Reserved. Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title: First name: Surname:

Company name:

Street address:

Town/City:

County:

Country:

Postcode:

Telephone number: Country Code National Number Extension Number

Mobile number:

Fax number:

Email address:

Are you an agent acting on behalf of the applicant? Yes No

2. Agent Name, Address and Contact Details

Title: First Name: Surname:

Company name:

Street address:

Town/City:

County:

Country:

Postcode:

Telephone number: Country Code National Number Extension Number

Mobile number:

Fax number:

Email address:

3. Description of the Proposal

Please indicate all those reserved matters for which approval is being sought:

Access Appearance Landscaping Layout Sale

Please describe the proposal:

Has the building or works already been carried out? Yes No

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4. Site Address Details

Full postal address of the site (including full postcode where available)

House:		Suffix:	
House name:	HEY HEAD FARM		
Street address:	ROCHDALE ROAD		
Town/City:	BACUP		
County:	LANCASHIRE		
Postcode:	OL13 9XF		

Description:

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Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	388328
Northing:	422237

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? Yes No

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway? Yes No

Is a new or altered pedestrian access proposed to or from the public highway? Yes No

Are there any new public roads to be provided within the site? Yes No

Are there any new public rights of way to be provided within or adjacent to the site? Yes No

Do the proposals require any diversions/extinguishments and/or creation of rights of way? Yes No

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? Yes No

If Yes, please provide details:

Manure will be collected on a trailer for disposal on the farm

Have arrangements been made for the separate storage and collection of recyclable waste? Yes No

8. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you? Yes No

9. Materials

Please state what materials (including type, colour and name) are to be used externally (if applicable):

Walls - description:

Description of *existing* materials and finishes:

N/A

Description of *proposed* materials and finishes:

1m high block walling with t. and g. weatherboarding above

Roof - description:

Description of *existing* materials and finishes:

N/A

Description of *proposed* materials and finishes:

Polyester coated profile steel roof sheeting

Vehicle access and hard standing - description:

Description of *existing* materials and finishes:

N/A

Description of *proposed* materials and finishes:

Consolidated crushed stone

9. (Materials continued)

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement? Yes No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

Plans and elevations
Site plan and cross sections
Design and access Statement

10. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	0	0	0
Light goods vehicles/public carrier vehicles	0	0	0
Motorcycles	0	0	0
Disability spaces	0	0	0
Cycle spaces	0	0	0
Other (e.g. Bus)	0	0	0
Short description of Other			

11. Foul Sewage

Please state how foul sewage is to be disposed of:

Mains sewer Package treatment plant Unknown
 Septic tank Cess pit

Other

Are you proposing to connect to the existing drainage system? Yes No Unknown

12. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.) Yes No

If Yes, you will need to submit an appropriate flood risk assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)? Yes No

Will the proposal increase the flood risk elsewhere? Yes No

How will surface water be disposed of?

Sustainable drainage system Main sewer Pond/lake
 Soakaway Existing watercourse

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13. Biodiversity and Geological Conservation

To assist in answering the following questions refer to the guidance notes for further information on when there is a reasonable likelihood that any important biodiversity or geological conservation features may be present or nearby and whether they are likely to be affected by your proposals.

Having referred to the guidance notes, is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, OR on land adjacent to or near the application site:

a) Protected and priority species

Yes, on the development site Yes, on land adjacent to or near the proposed development No

b) Designated sites, important habitats or other biodiversity features

Yes, on the development site Yes, on land adjacent to or near the proposed development No

c) Features of geological conservation importance

Yes, on the development site Yes, on land adjacent to or near the proposed development No

14. Existing Use

Please describe the current use of the site:

Field

Is the site currently vacant? Yes No

If Yes, please describe the last use of the site:

Field

When did this use end (if known) (DD/MM/YYYY)?

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated? Yes No

Land where contamination is suspected for all or part of the site? Yes No

A proposed use that would be particularly vulnerable to the presence of contamination? Yes No

15. Trees and Hedges

Are there trees or hedges on the proposed development site? Yes No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? Yes No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to construction - Recommendations'.

16. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste? Yes No

17. Residential Units

Does your proposal include the gain or loss of residential units? Yes No

18. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace? Yes No Unknown

19. Employment

If known, please complete the following information regarding employees:

	Full-time	Part-time	Equivalent number of full-time
Existing employees	0	0	0
Proposed employees	0	0	0

20. Hours of Opening

If known, please state the hours of opening for each non-residential use proposed:

Use	Monday to Friday		Saturday		Sunday and Bank Holidays		Not Known
	Start Time	End Time	Start Time	End Time	Start Time	End Time	

21. Site Area

What is the site area?

00.20

hectares

22. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

N/A

Is the proposal for a waste management development? Yes No

23. Hazardous Substances

Is any hazardous waste involved in the proposal? Yes No

24. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

 Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

 The agent The applicant Other person**25. Certificates (Certificate A)****Certificate of Ownership - Certificate A****Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land or building to which the application relates.

Title: First name: Surname: Person role: Declaration date: Declaration made**25. Certificates (Agricultural Land Declaration)****Agricultural Land Declaration****Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12**

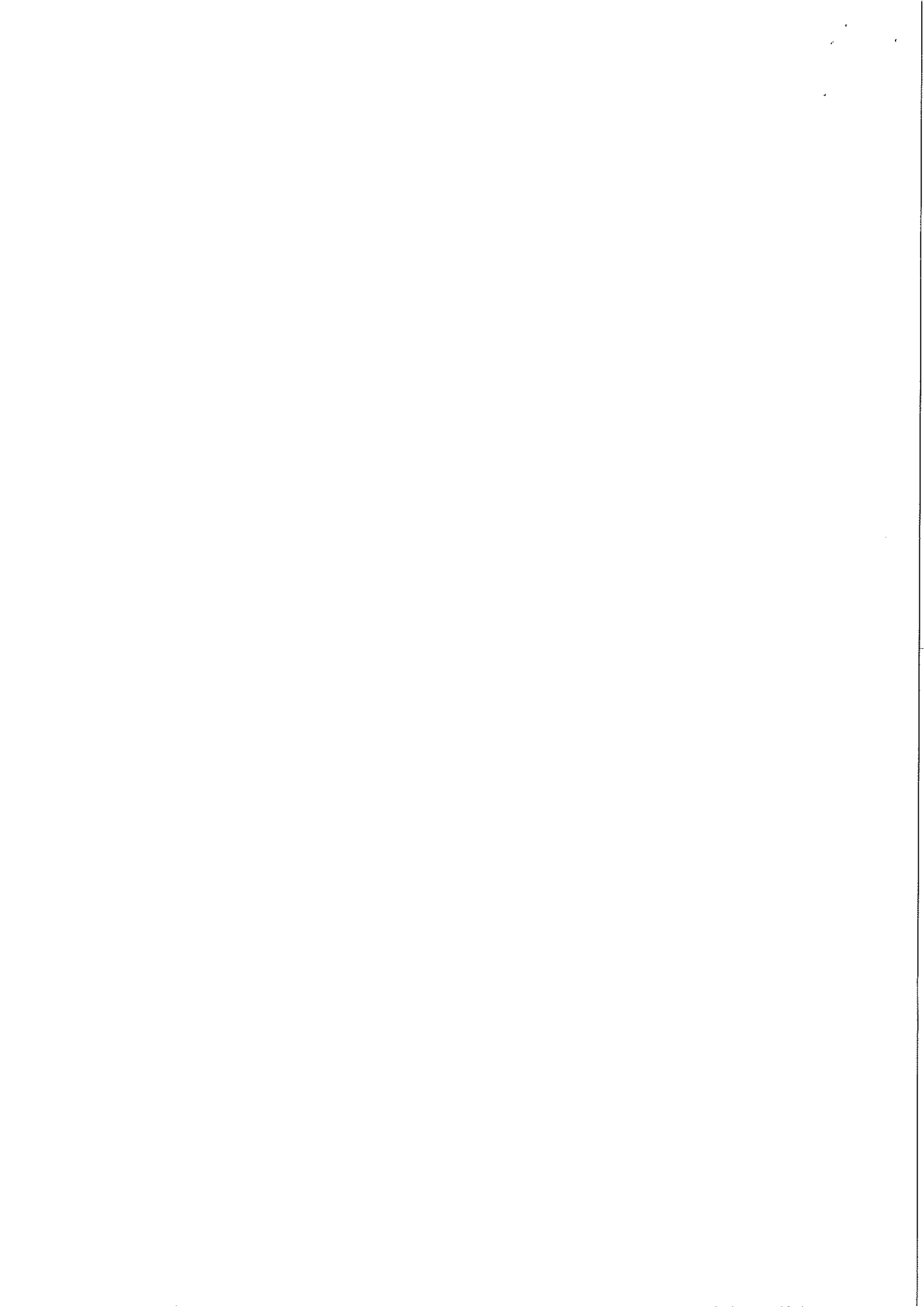
Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of an agricultural holding. (B) I have/The applicant has given the requisite notice to every person other than myself/the applicant who, on the day 21 days before the date of this application, is a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

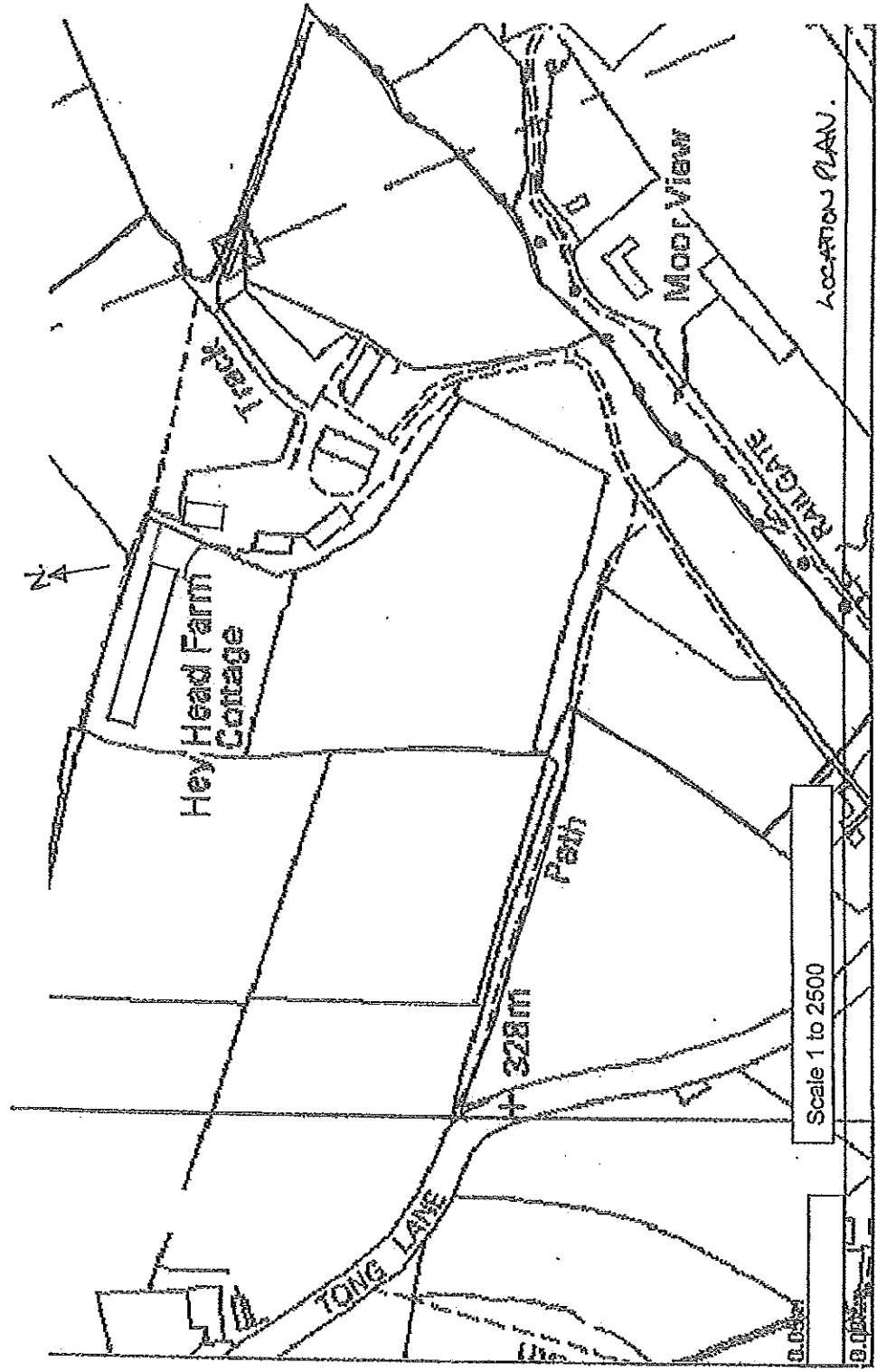
If any part of the land is an agricultural holding, of which the applicant is the sole tenant, the applicant should complete part (B) of the form by writing 'sole tenant - not applicable' in the first column of the table below

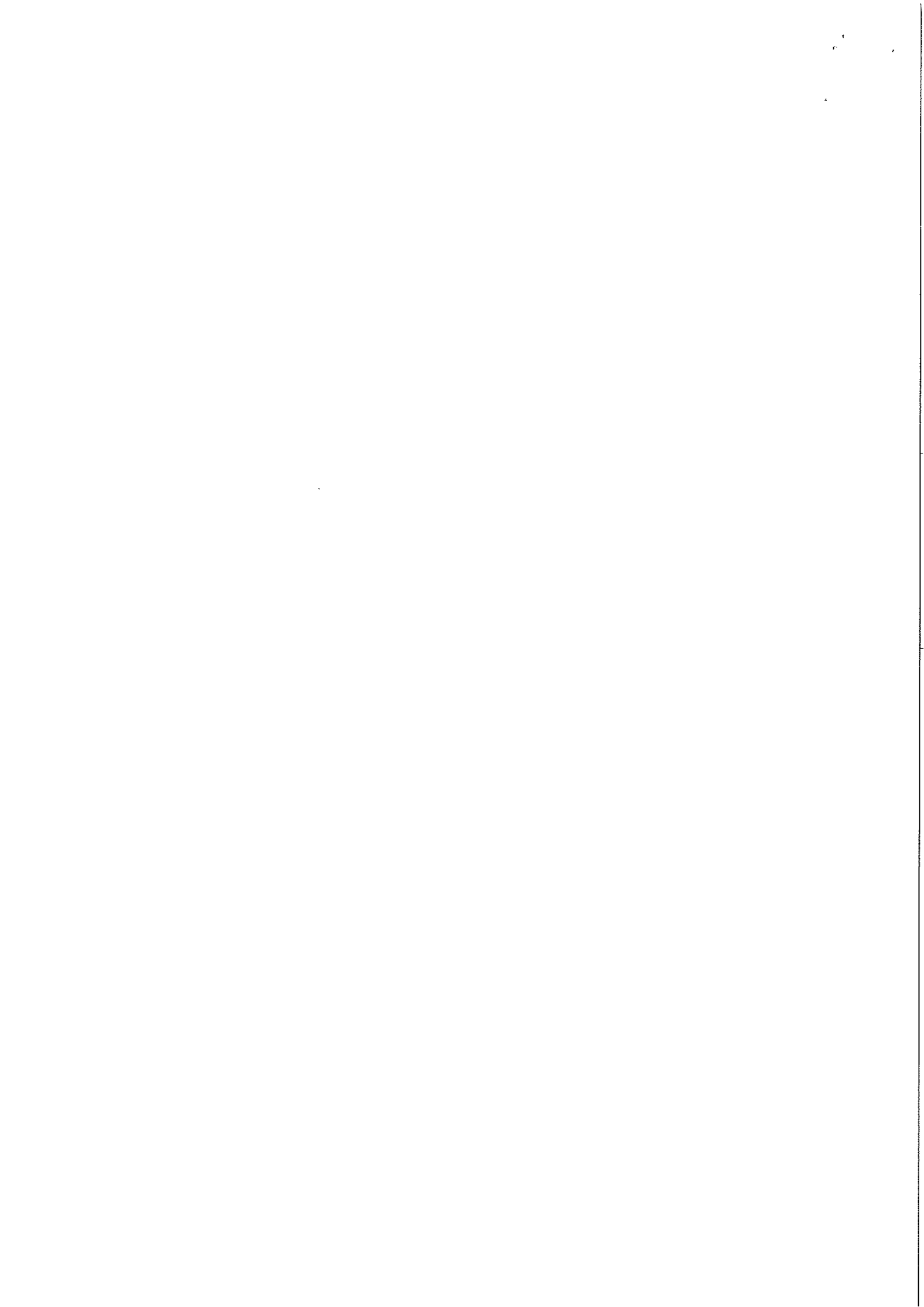
Title: First Name: Surname: Person role: Declaration date: Declaration Made**26. Declaration**I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. Date

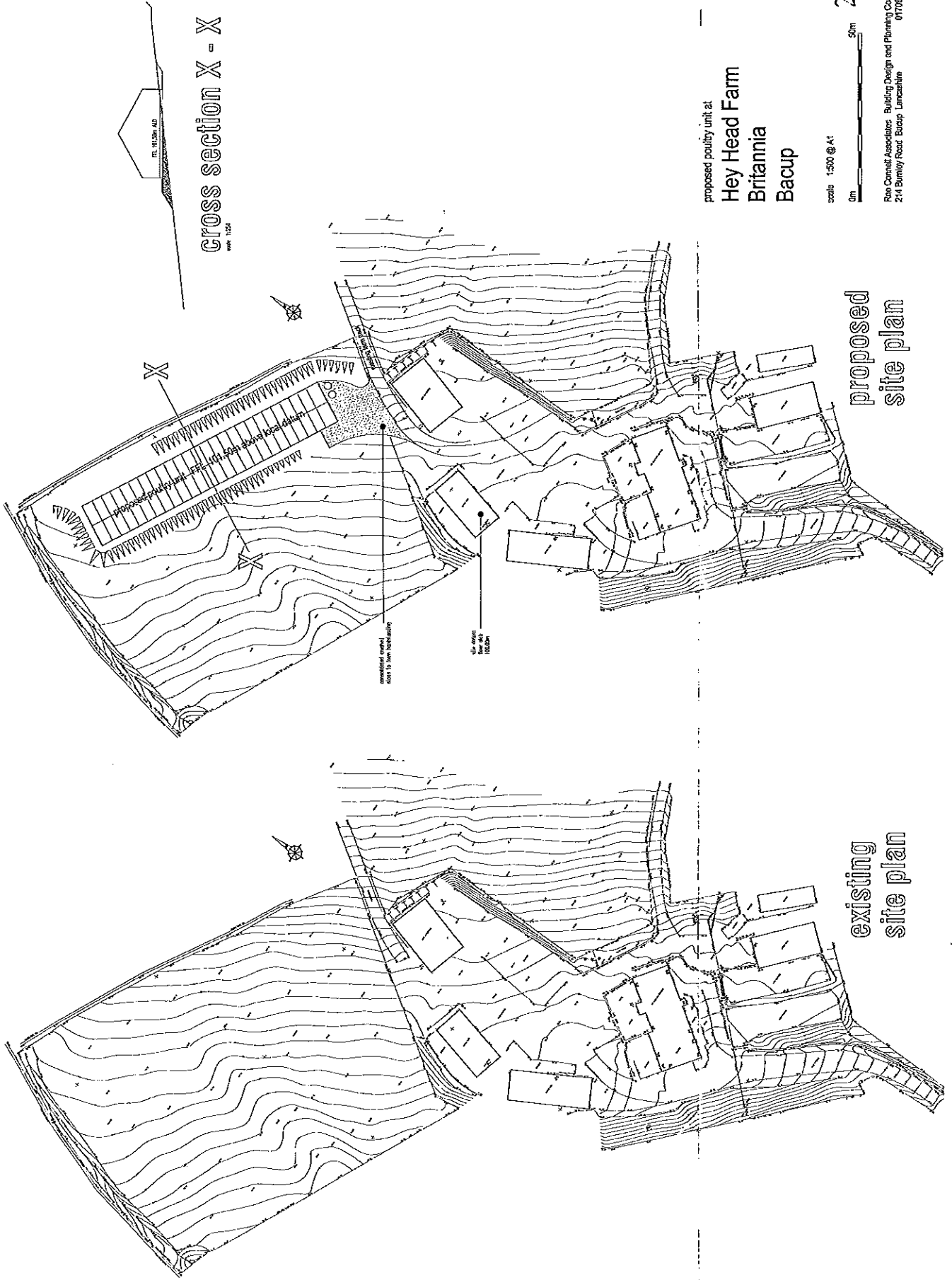
08 DEC 2010



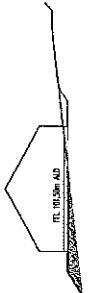
2010/633







Cross section X - X
 scale 1:250



**proposed
 site plan**

**existing
 site plan**

proposed poultry unit at
Hey Head Farm
Briannia
Bacup

scale 1:500 @ A1
 0m 50m

2010/633

10 Oct 2010

For Council Associates: Building Design and Planning Consultants
 214 Burnley Road Bacup Lancashire
 01706 873000

