

Reference: 17/00800/FUL
Date Submitted: 27.06.2017
Applicant: Rutland Property Company Ltd - Mr Mark Woods
Location: Barn Lodge Cottage, Saltby Road, Croxton Kerrial NG32 1QG
Proposal: Erection of four poultry buildings



The application seeks permission to erect four poultry buildings at Barn Lodge Cottage, Saltby Road, Croxton Kerrial. In addition, smaller units including a plant room and rest room are proposed and concrete apron leading to a turning area. The proposed dimensions of the buildings proposed are:

- Poultry buildings:-
Total floor area - 1872.72 sq m
One building – 20.41m(w) x 91.8m(l) x 5.7m(h) and 2.89m (to eaves).
- Plant room
Total floor area – 13.44m
4.2m (w) x 3.2 (l) x 3m (h)
- Rest room
Total floor area – 19.38
5.1 (w) x 3.8m (l) x 2.9 (h)

The four poultry buildings are arranged in a linear form, similar to the adjacent silo and poultry buildings to further expand the business. Each building can accommodate 37,750 birds ,which will increase the stock on the holding from 220,000 to 371,000 birds

It is considered that the main issues arising from this proposal are:

- **Compliance or otherwise with the Development Plan**
- **Impact on the character of the area**
- **Impact on residential area**

The application is required to be presented to the Committee due to the size of the proposed development.

History:-

17/00369/EIA Erect an additional 4 No. broiler sheds to increase the capacity of the site up to approximately 350,000 birds.

14/00973/FUL 400 solar PV modules to cover 62 metres by 21 metres in size totalling an array of 100kW's – Approved

12/00676/FUL Erection of 4 poultry units, 8 feed silos, formation of private service carriageway and landscaping – Approved

Planning Policy:-

Melton Local Plan 1999 (Saved policies)

Policy OS2 – Planning permission will not be granted for development outside the town and village envelopes shown on the proposals map except for:-

- A) Development essential to the operational requirements of agriculture and forestry.

Policy C3 – Planning permission for agricultural buildings outside the town and village envelopes shown on the proposals map will be granted provided:-

- The building is reasonably necessary for agriculture and would not occupy a prominent position in the landscape which in itself could not be ameliorated by tree planting or other suitable methods of screening;
- The size, scale, design and construction materials of the building are appropriate to its setting and specific use;
- The development would not cause loss of amenities through unacceptable noise, smell, dust or other forms of pollution;
- There would be no significant adverse effects on residential amenities;
- Satisfactory access and parking is provided to accommodate the level and type of traffic likely to be generated.

Policy BE1 - Planning permission will not be granted for new buildings unless:-

- The buildings are designed to harmonise with surroundings in terms of height, form, mass, siting, construction materials and architectural detailing;
- The buildings would not adversely affect occupants of neighbouring properties by reason of loss of privacy or sunlight / daylight;
- Adequate vehicular access and parking is provided.

The National Planning Policy Framework introduces a 'presumption in favour of sustainable development' meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- promote mixed use developments, and encourage multi benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation)
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

On Specific issues it advises:

Building a strong, competitive economy

- Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

Supporting a prosperous rural economy

- Support the sustainable growth and expansion of all types of business and enterprise in rural area (including well designed new buildings).
- Promote the development and diversification of agricultural and other land-based rural businesses.

Require Good Design

- Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Conserving and enhancing the natural environment

- Aim to conserve and enhance biodiversity by taking opportunities to incorporate biodiversity in and around developments

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (NPPF para. 12)

Consultations:-

Consultation Reply	Assessment of Head of Regulatory Services
Heritage England On the basis of the information available to date, we do not wish to offer any comments.	Noted
Natural England NO OBJECTION Based on the plans submitted, Natural England	Noted

<p>considers that the proposed development will not have significant adverse impacts on designated sites and has no objection on the King Lud's Entrenchment and The Drift Site of Special Scientific Interest (SSSI).</p>	
<p>LCC Highways No objection to this development but do have concerns about the original application that will need to be addressed through a supplementary condition.</p> <p>The site will be accessed using the existing farm access and turning facilities within the site will allow vehicles to enter public highway in a forward gear. There were a number of conditions tied to the site access as part of a 2012 application at the site (LPA ref: 12/00676/FUL). Clarification is sought from the LPA as to whether these improvements were implemented.</p> <p>The Applicants Transport Statement (TS) indicates that based on the existing use the peak number of HGV movements is 22 two-way trips (11 arrivals / 11 departures). If the proposed development and same working practices are applied the Applicant has indicated that there will be an additional 12 two-way HGV trips (6 arrivals / 6 departures) on the busier days. The HGVs currently access and leave the site mainly via the classified A-road network and this arrangement will continue if the proposed development is approved by the LPA.</p> <p>The CHA has checked its own Personal Injury Collision (PIC) database and there has been 2 PICs in the vicinity of the site / HGV route. One of the PICs was at the site access and was classified as severe and the other PIC was at the junction of the A607/C8314 and was classified as slight. Neither of the PICs was associated with the type of development being applied for and therefore the CHA does not believe the proposed expansion of the business would exacerbate the current situation.</p>	<p>Noted</p> <p>It is proposed that the development will have access to the highway using the existing access drive to the site and a concrete apron which is proposed within the site boundary.</p>
<p>Leicestershire Lead Local Flood Authority (LLFA) No objection - conditions The flood risk to the site is noted to be low and proposals are to discharge all surface water via infiltration.</p> <p>Infiltration testing results indicate that the ground is suitably permeable, however testing was not undertaken to BRE365 guidance and the location of the test is not stated. Although accepted for this stage of planning, results of BRE365 complaint testing at the location where infiltration is proposed will be required to provide certainty over the level of infiltration available on-site and subsequently the size of the infiltration structure and storage provided.</p> <p>Leicestershire County Council as Lead Local Flood Authority advises the Local Planning Authority that: The proposed development would be considered</p>	<p>Noted and it is possible to apply the conditions as set out to any permission granted.</p>

<p>acceptable to Leicestershire County Council as the Lead Local Flood Authority if the following planning conditions are attached to any permission granted.</p> <p>1. Advice - Surface Water (Condition) No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority. <i>Reason</i> To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.</p> <p>2. Construction Surface Water Management Plan No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority. <i>Reason</i> To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.</p> <p>3. Advice - SuDS Maintenance Plan & Schedule No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority. <i>Reason</i> To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.</p> <p>4. Advice – Infiltration Testing No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy. <i>Reason</i> To demonstrate that the site is suitable for the use of infiltration techniques as part of the drainage strategy.</p>	
<p>LCC Ecology The report (Emms and Barnett, May 2017) is acceptable, there were no habitats of importance recorded on the site. No protected species were recorded although there are several ponds within 500m</p>	<p>Noted.</p>

<p>of the site with varying degrees of habitat suitability, the application site is of suboptimal habitat and is therefore of low potential to support Great crested newts. The neighbouring existing buildings have low potential for bats and they are unlikely to be roosting on the site.</p> <p>However, the hedgerows do provide a good habitat on site and we welcome the buffer between the development and existing hedgerows, this should be retained.</p> <p>Based on the information provided I have no objections to this proposal.</p>	
<p>MBC Environmental Health The application has been supported by an odour assessment shows this development site is likely to create an odour which disperses out to residential properties that is likely to cause an issue.</p>	<p>Standard guidance is that a residential property should not be within 400m. The closest properties are 420m away in this instance.</p>
<p>Croxton Kerrial Parish Council Policy C3 SECTION C – The development would not cause loss of amenities through unacceptable noise, smell, dust or other forms of pollution:</p> <p>The noise of traffic is already disturbing, the increase of traffic from 73 vehicles every flock cycle to 120 vehicles per flock cycle will substantially affect residents on Saltby Rd. The traffic continues into the evening and it is impossible to have windows open.</p> <p>SECTION D There would be no significant adverse effects on Residential amenities: Saltby Rd is well used by residents, for walking and cycling as well as being the connecting road for outlying villages. The increase of traffic will make the road dangerous for pedestrians and other road users.</p> <p>Section E: satisfactory access and parking is provided to accommodate the level and type of traffic likely to be generated. Since the original development there have been two recorded accidents – for a village that is unacceptable, near misses happen on a regular basis, two lorries cannot pass safely without going on to grass verges which are rapidly disappearing, leaving the mains drains vulnerable. Parking on Saltby Rd needs to be addressed, at the junction with the A607 there are parked cars every day, very close to the junction. The Parish council have attempted to solve this with leaflet drops and talking to the Residential House Manager about staff parking. To allow safe access and egress onto the A607 some type of parking limitations need to be in place – zig zag lines?</p>	<p>The development will generate further traffic along the Saltby Road. The Applicants Transport Statement (TS) indicates that based on the existing use the peak number of HGV movements is 22 two-way trips (11 arrivals / 11 departures). If the proposed development and same working practices are applied the Applicant has indicated that there will be an additional 12 two-way HGV trips (6 arrivals / 6 departures) on the busier days.</p> <p>It is not considered that this level of traffic would pose unacceptable impacts on other road users, in the event they are using the road at the same time as a HGV is passing. The frequency of the anticipated additional movements (12 on peak days) are not considered enough to justify a ‘substantial’ impact to health.</p> <p>As identified in the Highways advice it has been deemed that this development will not have a severe impact on highway safety.</p>

Representations:-

A site notice was posted to advertise the application and advert placed in the Melton Times.

As a result of this publicity, one letter of representation was received.

Representation	Assessment of Head of Regulatory Services
<p>The already approved extension to the business increased the quantity of 40 tonne lorries through the village of Croxton Kerrial which caused damage to verges. Various parking issues in also cause issues for HGVs to turn and therefore blocks traffic in the local area. Croxton Kerrial is not a suitable location for this business.</p>	<p>The CHA deem that there are no severe highway impacts that will be caused by the development in line with the NPPF. The agent has also confirmed that a traffic management plan is in operation during the hours the farm is open.</p>

Other material considerations (not raised through consultation or representation):-

Material Consideration	Assessment of Head of Regulatory Services
<p>Design of proposed building and impact on amenity</p>	<p>The proposed buildings are uniform in size and continue the pattern of development already approved. The units will be situated close to these and therefore not isolated in the already built up site.</p> <p>The proposed poultry buildings have quite low pitches on the roofs which will help them have a less imposing presence in the landscape and having a material composition of weatherboarding and steel will further assimilate the builds into the natural environment.</p> <p>It is not considered that the proposed building would be detrimental to the amenity of residential occupiers due to the location of the buildings being approximately 450m from the nearest neighbouring dwelling..</p>
<p>Odour Issues</p> <p>The planning application has been supported by an Odour Assessment commissioned by Steve Smith of AS Modelling and Data.</p> <p>It has been identified that odour emission rates and subsequent odour exposure would be below the Environment Agency’s benchmark for moderately offensive odours, which is a maximum annual 98th percentile hourly mean concentration of 3.0 ouE/m3.</p>	<p>The standard identified is the relevant one and the modelling indicates it will be met.</p> <p>The nearest residential properties are also further than the 400m recommended distances from units of such use.</p>
<p>Application of the NPPF and Development Plan Policies.</p>	<p>The National Planning Policy Framework is a material consideration in the determination of this application that is considered to be of significant weight. The NPPF is clear in its advice that the presumption is in favour of sustainable development. The guidance also states that where the development plan is absent, silent or relevant policies are out-of-date, local planning authorities should grant planning permission unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”.</p> <p>The NPPF supports economic development and states its commitment to securing sustainable economic</p>

	<p>growth, explaining that planning should do “everything it can” to facilitate this. Paragraph 28 of the NPPF relates to supporting a prosperous rural economy. It states that local planning authorities should support the sustainable growth and expansion of all types of business and enterprise in rural area. The key to this policy is considered to be the consideration of ‘sustainable’.</p> <p>The NPPF defines sustainable development as economic, social and environmental. The site proposed is located within the open countryside, some distance from any settlement which makes it suitable for intense farming.</p> <p>Whilst it is considered that the proposed development would be located in a rural area, remote from any significantly sized settlement, it is considered that it would bring advantages in terms of overall travel distances and uses of the highway network and would represent economic growth of the type encouraged by the NPPF.</p>
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Conclusion

The application seeks to build upon the use of the farm. The proposed poultry buildings and associated buildings will be designed to have a minimal view in the landscape. The impact of the traffic will be restricted mainly to the time when such activities would be anticipated in the countryside and the Highways Authority have no objections. The NPPF supports rural economic growth. Accordingly the application presents the need to **balance economic growth considerations with those of sustainable development**.

The proposal is not considered to adversely impact on the character and appearance of the area, the residential amenities of neighbouring properties or highway safety and would represent an improvement from the previous use in terms of traffic generation and policy objectives.

Recommendation: PERMIT, subject to conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
3. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.
4. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the Local Planning Authority.
5. No development approved by this planning permission, shall take place until such time as details in relation to the long term maintenance of the sustainable surface water drainage system within the development have been submitted to, and approved in writing by, the Local Planning Authority.
6. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration

as a drainage element, and the flood risk assessment (FRA) has been updated accordingly to reflect this in the drainage strategy.

7. The approved landscape scheme (both hard and soft) shall be carried out before the occupation of the buildings or the completion of the development, whichever is the sooner; unless otherwise agreed in writing by the Local Planning Authority. 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.
8. Prior to first use of the development hereby permitted, a scheme of access improvements including visibility splays shall be constructed in accordance with a drawing that shall have first been submitted to and approved in writing by the Local Planning Authority.
9. The development will continue to accord with condition 12 of 12/00676/FUL in that the development be in accordance with the Written Scheme of Investigation for the Archaeology.
10. The development hereby permitted shall be carried out in accordance with drawings: IP/RPC/01; IP/RPC/02; IP/RPC/03; IP/RPC/04; IP/RPC/05; IP/RPC/06 and IPA21250-11 received by the Local Planning Authority on 27th June 2017.

Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure a satisfactory standard of external appearance.
3. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.
4. To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.
5. To establish a suitable maintenance regime, that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development.
6. To demonstrate that the site is suitable for the use of infiltration techniques as part of the drainage strategy.
7. To provide a reasonable period for the replacement of any planting.
8. In the interests of highway safety.
9. To ensure the continued safeguarding of archaeological matters.
10. For the avoidance of doubt

Officer to contact: **Mr Glen Baker-Adams**

Date: 15th September .2017