

APPENDIX A: Consultation Responses and Representations

Parish Council Comments

Our position is that this application should be refused.

When purchased by the current owner the site in question was a grazing meadow in the Metropolitan Green Belt, not part of any working farm.

The applicant installed a small number of portable sheds for free range egg laying hens, for which he was advised he did not need planning permission, although the council reserved the right to reassess in the future. Since that original development he has continued to expand the operation and it is extremely difficult to view these newer buildings as portable - see attached photo – but no planning application has been made in respect of them. The scale of this operation is clearly affecting the openness and visual amenity of the Green Belt and as such the operation must be re-assessed before any other applications can be considered.

The present application for permanent accommodation is based entirely on the scale of operations that the applicant wishes to undertake on this Green Belt field for which he has no planning approvals. The council correctly refused an earlier application for a quail barn and it is significant that that application made no mention of the requirement for residential accommodation although it could be highly relevant. We are strongly supportive of the council's refusal and are writing to the appeal inspector on this matter.

It may well be true that an industrial scale chicken enterprise and a quail barn might need onsite residential accommodation but that is not a justification. Residential development in the Green Belt is by definition harmful, so the only consideration is whether any exceptional circumstances apply to outweigh the harm.

We contend that a justification based on the business scale of the existing operation is incorrect. If a single combined application was made for a large scale egg producing unit, a quail barn and an on-site residence for an undeveloped Green Belt meadow, it would be refused. To permit the accommodation because the owner is already operating a partial business is not a relevant consideration. To approve a residence in a Green Belt meadow carrying no other planning approvals would be a travesty of protection of the Green Belt. As a Green Belt site the owner needs to restrict operations to a level compatible with its Green Belt status. We do not see any Exceptional Circumstances.

If the application for accommodation is granted in this case it lays out a path by which any part of the Green Belt can be subverted to industrial scale operations with housing. Permitting this by creeping stages would be a failure of the council's responsibility to the protection of the Green Belt and to its citizens.

The application should be refused, the three year approval for temporary accommodation should not be renewed and the site should be re-assessed against the relevant planning criteria, with operations limited to comply.

Consultation Responses

Environmental Health:

The historical maps indicate that the site has had an agricultural use, inferred by the presence of field boundaries on the map for the 1955-1974 epoch, the previous historical maps are incomplete for this area.

The proposed development site has had an agricultural use. There are associated risks from landfilling, storage and use of fuels, fertilisers, pesticides and herbicides, asbestos containing materials in buildings and other activities as outlined in the Department of Environment Industry Profiles.

An assessment of the potential risks associated with the site is required.

Based on this, the following contaminated land condition is recommended on this and any subsequent applications for the site.

Acorus:

The dwelling is required in place of the current mobile home to provide a permanent residence for a farm worker/manager to run and supervise the free-range poultry unit.

Pike Smith Kent provided a report setting out the business operations and I have seen farm accounts with the most recent period covered up to June 2020.

In my opinion, the need to live on site is dependent on the nature and scale of the farming operations. In this case, compared with some of the modern automated units, a 6,000 bird facility is relatively modest. Commonly, units are now 16,000, 32,000 and even up to 100,00 bird enterprises.

In this instance, where there are mobile sheds, rather than a single large automated building, there is the need as stated for a greater element of manual input. In addition, clearly, direct marketing adds further time inputs.

The various functional items are detailed in the supporting statement at paragraph 6.3, and I largely accept these, and the standard man day assessment at paragraph 6.4 to provide back-up that this is a full time operation.

I note from farm accounts that operating losses were recorded from years ending December 2015, 2016 and 2017.

A profit of £25,240 was recorded in year end December 2018 and a profit of £40,015 was recorded year ending December 2019.

The latest information I have seen shows a profit of £41,223 for the period up to June 2020.

I had previously expressed concerns over cumulative trading losses, figures for cost of sales and the gearing of the business in terms of the number of full time employees.

Additionally, I considered that the size of the dwelling initially proposed was very substantial especially considering the nature and scale of the business.

As part of the current application, I note that the proposed dwelling is to have an internal floor area of 189m², which is a significant revision downwards compared to the initial application.

On balance, given the most recent upward trends in trading figures and reduction in size of the proposed dwelling, I am more convinced over the viability/sustainability of the business.

Natural England:

Objection – Further information required to determine impacts on designated sites – development within 5.6 kilometres of Burnham Beeches Special Area of Conservation (SAC).

Between 500 metres to 5.6km from Burnham Beeches SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity. This should be in line with emerging Burnham Beeches Avoidance and Mitigation Strategy Supplementary Planning Document (SPD).

BPA:

BPA Pipelines – Not affected.

Highways:

I note the Highway Authority has previously provided comments for this site under application number PL/20/0746/FA, which in a response dated the 1st April 2020; the Highway Authority had no objection.

Due to the similarity with the previous application, I consider that the application does not propose a material difference in highway terms and the principle of development remains the same. As such, I would like to reiterate comments made in that application which I have repeated below for clarity:

“The proposed development has been considered by the County Highway Authority who has undertaken an assessment in terms of the expected impact on the highway network including net additional traffic generation, access arrangements and parking provision. The Highway Authority is satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway”.

Mindful of the above, I have no objection to the proposal in highway terms subject to the imposition of an agricultural workers dwelling condition being included in any planning permission that you may grant.

Cadent Gas:

To confirm that Cadent Gas have no objection to the planning application.

Representations

Objections have been received from 5 different households relating to the proposed application and are summarised as below:

- Chicken sheds used on the site are of a mobile nature
- 12 existing sheds on site plus 3 silos plus a packing shed, another small building and a mobile home
- All buildings should be shown
- The owner lives nearby
- The site in question is not a farm but open pasture land
- Inappropriate to support the development of a permanent residence in support of temporary activities
- Inappropriate development in the Green Belt
- Approval would create a precedent
- Granting of this permission will enable the owner to further increase the level of these activities
- Area is designated as a flood risk
- Permission to erect a permanent residential structure on this site would undermine and directly contradict these Government and planning guidelines
- There has never been a permanent farm established on this site