

SECTION '2' – Applications meriting special consideration

Application No : 09/00889/FULL2

Ward:
Darwin

Address : Highams Hill Farm Layhams Road
Keston Kent BR2 6AR

OS Grid Ref: E: 540000 N: 161282

Applicant : P Johnson And Son Ltd

Objections : YES

Description of Development:

Change of use of 2 poultry sheds from agricultural to commercial/light industrial use (Classes B1, B2 and B8) Including elevational alterations.

Key designations:

Special Advertisement Control Area
Green Belt

Proposal

Retrospective planning permission is sought for the change of use of two poultry sheds from agricultural use to commercial use within Classes B1, B2 and B8. Shed 2 has been subdivided internally and 5 dormer doors to units A-E have been installed.

Poultry production commenced at Holmshaw and Highams Hill Farms in July 1994. Sheds 1 and 2 on Holmshaw farm produced 73,800 birds at any one time and Sheds 3,4 and 5 on Highams Hill Farm produced a further 120,200 birds at any one time. The units produced approximately 9.5 million birds before Grampian Foods closed its production unit in Sussex and terminated the contract for the supply of birds. Production ceased in October 2006.

The sheds are currently occupied as follows:

- Shed 1 - Disposable Supplies Ltd - catering storage and distribution
- Unit 2A - ADW Furniture - joinery workshop
- Unit 2B - Creative Flooring 2000 Ltd - flooring storage / office
- Unit 2C - Benchworks - storage
- Unit 2D - Hawthorne Keston Ltd - storage
- Unit 2E - Ecoism Manufacturing Ltd - joinery workshop.

Two remaining units in Shed 2 are used by the applicants as a farm implement store and farm workshop.

The application is accompanied by 2 documents prepared by Kernon Countryside Consultants: 'Poultry Units - An Evaluation of Options' dated September 2006 and 'An Update on Potential' dated September 2012. The reports include the following points:

Poultry Units - An Evaluation of Options

- poultry production ceased in 2006 after Grampian Country Food Group terminated agreement for the supply of chickens stating that the company had undergone consolidation and must derive its supply sourcing closer to its processing facilities to remain viable
- Faccenda, the other main poultry producer in the UK confirmed that they were unable to offer a growing contract
- no other processor could accommodate the number of birds that were being produced
- unit cannot realistically alter production to make the unit more efficient or profitable in the unlikely event that another processor was found
- sheds need to operate on the basis of one batch of birds ready on one day every 7 weeks in order to avoid disease - processing plants need a steady stream of birds every working day
- there is no future for the unit for the particular enterprise and the mode of production for which it was erected
- it is not feasible to develop a processing plant and market directly to retailers and consumers
- buildings could be physically used for other poultry production (e.g. eggs, turkeys) but such enterprises are likely to be economically unsustainable without a contract, which is unlikely to be forthcoming
- no alternative farming system would be feasible

An Update on Potential

- profit margins have been decreasing since 2006
- national distribution of poultry shows concentrations in the West Midlands/Herefordshire area, the east coast (Norfolk/Suffolk) and the Nottingham/Lincolnshire/East Riding of Yorkshire area
- there is a lack of production around London - necessary infrastructure to serve broiler sector is not in place - chick suppliers, bird catching teams, shed cleaning teams, poultry vets and, in particular, specialist processors are not in place
- an abattoir with the capacity to handle the number of birds previously produced at the farm would need another 18 poultry farms to supply on the intervening days between the farm sending its birds to slaughter - it is unrealistic that the sector will see a large new processor start up in the area.

The applicant has made the following comments regarding the potential for re-introducing poultry rearing to the sheds:

- no likelihood of a contract being available from a food processor to take the birds from Highams Hill Farm as there are no processing plants in the south east - nearest plants are in Norfolk and the West Country and transferring the birds over such long distances is unlikely to be viable
- it would be unreasonable and impractical to consider the reversion of the buildings to poultry houses - all the supporting infrastructure, including ventilation, heating and feeding equipment, has been removed and sold - the cost of reinstating the equipment would be financially prohibitive.

The application is also accompanied by a Transport Statement which states that the net change in traffic movements compared to the poultry rearing use is negligible. There has been a reduction in the number of articulated vehicle movements.

The application has been the subject of delays due to negotiations regarding highways issues and the preparation of an updated report concerning the viability of the poultry units.

Location

- Site is occupied by 2 former poultry sheds (1,867 sq m floor area each) with associated car parking
- site is designated Green Belt and is located towards the western edge of the borough on the eastern side of Layhams Road
- New Addington lies a short distance to the west and there is a travelling showpeople's site to the south
- surrounding Green Belt land is predominantly rural in character and includes a number of Sites of Interest for Nature Conservation.

The applicant also operates Highams Hill Farm and Layhams Farm and has diversified into a number of non-agricultural operations including boot fairs, green waste processing, music festivals and a caravan site.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and a representation was received from the Wickham Common Resident's Association which can be summarised as follows:

- land is within Green Belt and is only suitable for agricultural use
- vehicle access to site is within a shared driveway - HGV use raises maintenance issues
- nearby roads are narrow with no pavements - access to the site is hazardous
- precedent for similar development.

Comments from Consultees

Metropolitan Police Crime Prevention Design Adviser - no objections.

Highways - no objections.

Waste Advisers - no objections.

Reading Agricultural Consultants have commented that due to changes in industry sampling data and inconsistencies between industry data sources there is insufficient information to properly assess whether the sheds could support a profitable poultry operation.

There have been no Planning Enforcement or Environmental Health complaints relating to the use of the sheds as business units.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

UDP:

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety
- BE1 Design of New Development
- G1 The Green Belt

London Plan:

7.16 Green Belt.

Policy G1 states that:

'The re-use of a building in the Green Belt will be inappropriate unless it meets all of the following criteria:

- (v) it will not have a materially greater impact than the present use on the open character of the land;
- (vi) use of the land surrounding the building and boundary treatments will not harm the openness of the land or conflict with the purposes of including land in the Green Belt;
- (vii) the building is of permanent construction and capable of conversion or re-use without extensive or complete reconstruction;
- (viii) the form, bulk and design of the building are in keeping with its surroundings;
- (ix) the proposed use does not entail external storage of materials, plant or machinery; and
- (x) the proposed use has no adverse effect on the recreational enjoyment or appearance of the countryside.'

Paragraph 90 of the National Planning Policy Framework states that the re-use of buildings of permanent and substantial construction is appropriate in the Green Belt providing the buildings preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

Planning History

Retrospective planning permission was granted in March 2011 for Change of use of three former poultry houses from agriculture to uses within Classes B1, B2 and B8 of the Town and Country Planning Use Classes (ref. 06/03582). These poultry houses are located on another part of Highams Hill Farm accessed from Sheepbarn Lane.

Conclusions

The main issues relating to the application are whether the re-use of the buildings is appropriate in the Green Belt, the effect of the proposal on the character of the area and the openness of the Green Belt, the impact on the residential amenities of nearby dwellings, and the highways implications of the proposal.

With regard to the criteria for the appropriate re-use of buildings within the Green Belt set out in Policy G1 it is considered that:

- current uses of the buildings and elevational alterations to Shed 2 do not have a materially greater impact than the former agricultural buildings on the open character of the land
- use of land surrounding the building and existing boundary treatments have not been materially altered and as a consequence there has been no harm to the openness of the Green Belt or any conflict with the purposes of including land in it
- buildings have been adapted without reconstruction
- having regard to their agricultural origin the form, bulk and design of the buildings are in keeping with their surroundings - only modest adaptation of Shed 2 to provide improved access was required
- adequate storage space is available inside the buildings whilst access and parking provision has not changed since the previous use
- there are no adverse impacts on the recreational enjoyment or appearance of the countryside - buildings are inconspicuously sited because of the topography whilst thick vegetation along the eastern boundary has been retained.

The proposed use of the buildings can be considered to comply with the requirements of Policy G1 regarding re-use of buildings in the Green Belt. The change of use of the buildings involved the demolition of feed silos and the buildings have not been substantially altered externally. Overall the effect of the development on the openness of the Green Belt can be considered neutral.

Reading Agricultural Consultants have raised concerns regarding the data within the reports prepared by Kernon Countryside Consultants. The applicant argues that there is little likelihood of securing a profitable poultry rearing contract due to the lack of necessary infrastructure, including a suitable processing facility, in the South East of England. The applicant further argues that the reinstatement of the necessary equipment to facilitate poultry rearing would be impractical and unrealistic. It may be accepted that there is little likelihood of the sheds being returned to a viable poultry rearing use. In any event, latest national policy in the

NPPF and changes to legislation over recent years have generally supported employment uses and allow greater flexibility in dealing with proposals affecting agricultural land and buildings.

The nearest residential dwellings are Highams Hill Cottages and Highams Hill Farmhouse, which are related to the farm. It may be considered that the current uses of the buildings result in less harm to residential amenities than an intensive poultry farming operation.

Conditions to secure improved safety conditions at the junction of the site with Layhams Road have been suggested by the Council's highways engineer.

Having regard to the above, it is considered on balance that the change of use of the former poultry sheds to business use does not result in any undue harm in planning terms.

as amended by documents received on 16.04.2012

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 Details of parking spaces shall be submitted to and approved in writing by the Local Planning Authority and such provision shall be completed by 1 August 2014 and shall thereafter be kept available for such use. No development shall be carried out on the land indicated or in such a position as to preclude vehicular access to the said land.
ACH02R Reason H02
- 2 Details of a turning area within the site shall be submitted to and approved in writing by the Local Planning Authority. The turning area shall be provided by 1 August 2014 and shall be permanently retained thereafter.
ACH08R Reason H08
- 3 Details of bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority by 1 August 2014, and the bicycle parking/storage facilities shall be permanently retained thereafter.
ACH22R Reason H22
- 4 The access junction with Layhams Road shall be provided with 59m x 2.4m x 59m visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these splays. The visibility splays shall be implemented by 1 August 2014 and shall be permanently retained thereafter.
ACH11R Reason H11
- 5 The alterations to the access junction with Layhams Road shown on MLM drawing no. 614094/SK04 shall be completed in accordance with those details which include the re-siting of 40mph repeater sign on the west side of Layhams Road. These alterations shall be implemented by 1 August 2014 and shall be permanently retained thereafter.
ACH11R Reason H11

- 6 Details of road markings at the access junction with Layhams Road shall be submitted to and approved in writing by the Local Planning Authority and implemented by 1 August 2014 and shall be permanently retained thereafter.
ACH11R Reason H11

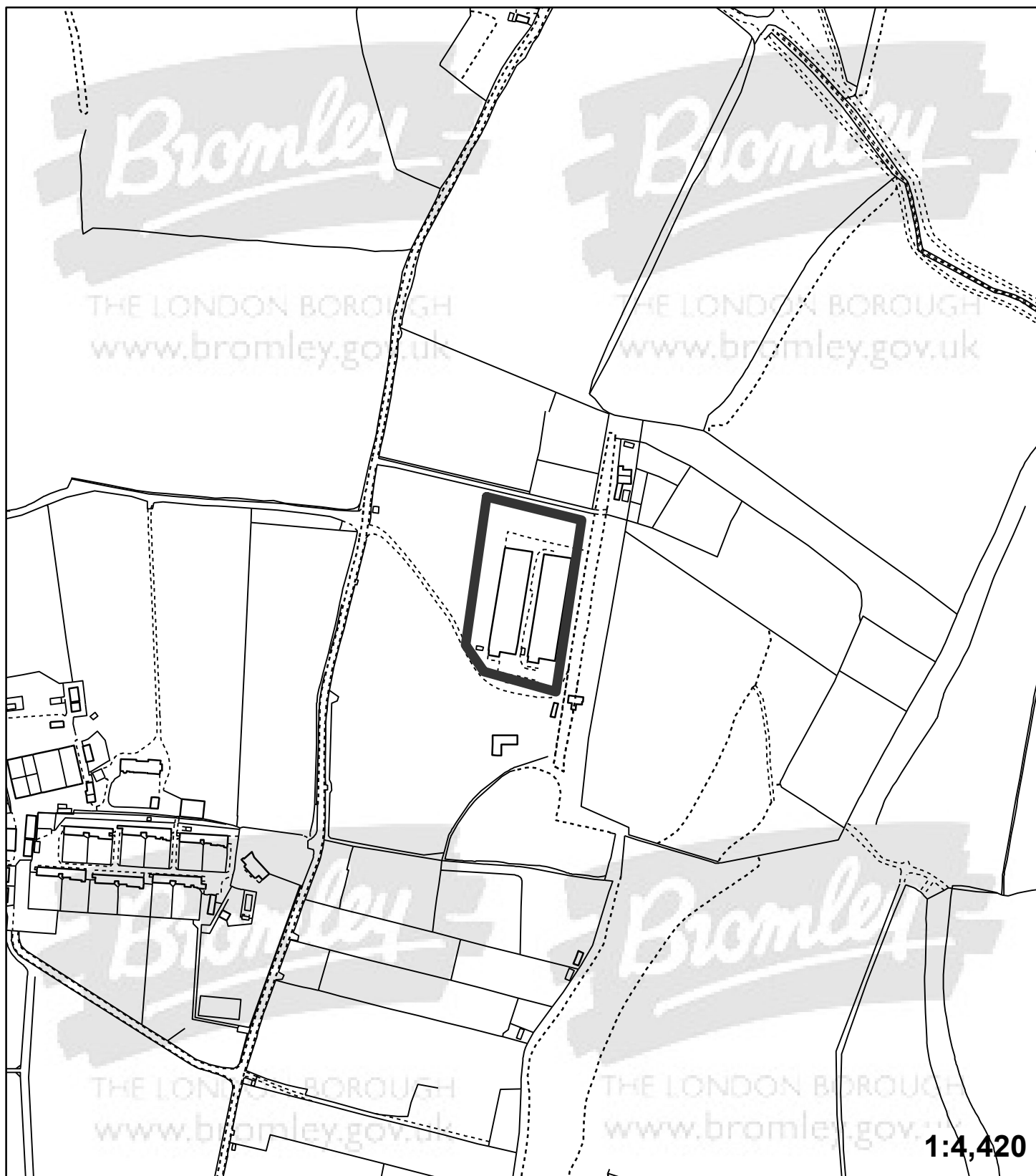
INFORMATIVE(S)

- 1 Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Jodie Catchpole on 01276 454300 for further details.

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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