

P/2019/00552
Received 10/05/2019



Land at Scotch Hills, Newchurch

Planning application for rural worker's dwelling

Agricultural Appraisal

April 2019

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APPENDIX 1

Planning permissions for:

- P/2018/01500 - Erection of a Dairy Building (Phase 1), Formation of a Slurry Lagoon and Diversion of Public Footpath 43
- P/2018/01501 - Erection of a Dairy Building (Phase 2)
- P/2018/01502 - Erection of a Dairy Building (Phase 3)
- P/2018/01503 - Erection of a Dairy Building (Phase 4)

Introduction

1. Reading Agricultural Consultants Ltd (RAC) is instructed by Mr and Mrs James MacPherson to prepare an Agricultural Statement that sets out the details of the development (to date) of their dairy farm at Newchurch, and why the provision of a rural worker's dwelling is essential for the management of the farm.
2. Full details of the planning application are set out in the JMI Planning statement and the information set out in this report is based on comments and observations made by the author at the site in February 2019.
3. The appraisal has been undertaken by Peter Williams, who is an agricultural consultant with over 25 years' experience of preparing assessments of planning applications for new dwellings in the countryside. Peter Williams is an Associate (and former Director) of Reading Agricultural Consultants and holds an Honours Degree in Agriculture from the University of Reading; he is a Member of the British Institute of Agricultural Consultants. Throughout his professional career, he has been engaged by farmers and local planning authorities to appraise a wide range of enterprises in the context of planning applications for new rural workers' dwellings and buildings. He is a regular agricultural advisor to local planning authorities in Cornwall, Devon, Dorset, Somerset and Hampshire and is regularly consulted on planning applications for agricultural developments by these authorities and by numerous other authorities across the country on an ad-hoc basis.

Preamble

4. RAC has been involved in the development of the property known as *Land at Scotch Hills, Newchurch* for the past two years including with the design and preparation of plans for the development of a new farm and dairy.
5. Planning permission was granted on 19th February 2019 for:
 - P/2018/01500 - Erection of a Dairy Building (Phase 1), Formation of a Slurry Lagoon and Diversion of Public Footpath 43
 - P/2018/01501 - Erection of a Dairy Building (Phase 2)
 - P/2018/01502 - Erection of a Dairy Building (Phase 3)
 - P/2018/01503 - Erection of a Dairy Building (Phase 4)
6. Permission had already been secured for two multi-purpose agricultural buildings (P/2018/01131 and P/2018/01133); the new farm access track was accepted as permitted development (ref: P/2018/01132).

Background

7. The applicant and his wife met at and are both graduates of Harper Adams agricultural university, they are former residents of the Newchurch area and are looking to establish the new, bespoke dairy business so that they, with their two young children, can move back to the area where a) they grew up, and b) where both sets of grandparents also live. Mrs MacPherson's parents farm approximately 10kms distant; Mr MacPherson's parents live within 3kms.
8. The applicants moved to a tenanted County Council farm in Dorset in 2012 and have, in the intervening period, developed a highly profitable business with some 200 pedigree British Friesians dairy cows plus followers. They also breed and sell pedigree stock bulls, including to Genus ABS (the world leader in bovine genetics) one of which was recently ranked number three in the breed worldwide. James is currently vice chairman of the British Friesian Cattle society and is on the society's Genetics committee. The applicants have also won:

- the South West Wiltshire Agricultural Society “best dairy herd” and best farm” in 2012; and,
 - the Holt Agricultural Discussion Group “*best managed dairy herd*” for four consecutive years from 2014-18.
9. The land at Scotch Hills became available for purchase in 2017 and plans for the development of the farmstead and relocation have developed since then. The planning permissions granted in February 2019 now enable the construction a new dairy unit on a green field site that will meet the needs of a modern dairy operation and comply with all relevant environmental and high welfare standards, whilst ensuring the new unit remains economically viable and competitive during periods of volatile milk prices.
 10. The dairy complex will sit within a 74ha block of owned land, with another 83ha rented nearby which is used for forage production and slurry spreading. The main buildings at the site will accommodate the dairy herd (including dry cows) and recently calved cows, with replacements reared in the adjoining buildings. The dairy unit will operate a traditional grazing system, with the buildings being used to house cows during the winter months.
 11. The main building will include 236 cubicles, with the number of free cubicles exceeding the 5% free cubicles required by the Red Tractor Assurance Scheme¹. Slurry will be scraped to underground channels, which will drain under gravity to the slurry storage lagoon. The dairy building will include: the collecting and dispersal yards; a 30/30 herringbone milking parlour; dairy; plant room and chemical store; office; and cow handling facilities. Also included in the planning applications were silage clamps and hardstanding areas to allow the easy movement of farm machinery around the unit.
 12. Once the buildings associated with the above planning permissions have been completed, the applicant will relocate his existing business entirely from Dorset to the *Land at Scotch Hills, Newchurch*.
 13. The labour, in the immediate future, will be provided by Mr Macpherson although he intends to employ three full-time and one part-time staff as soon as the relocation is complete.
 14. However, in order that the cows can be properly managed and their welfare secured it is essential that he can live on site to provide for the needs of the dairy cows and youngstock and thus planning permission is sought for a dwelling.

¹ Red Tractor Assurance for Farms (2014) Dairy Scheme Standards

Development Plan Framework

15. A detailed consideration of the planning policies against which this application will be determined is set out in the Planning Statement and includes reference to the National Planning Policy Framework (NPPF). There are no East Staffordshire Local Plan policies that expressly deal with rural workers' dwellings.

16. The NPPF is all about sustainable development and paragraph 7 states:

“...The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs”.

17. Paragraph 11 sets out the core land-use planning principles that should be adopted, and these expressly include *inter alia*:

- *“a presumption in favour of sustainable development;*
- *positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- *provide for objectively assessed needs for housing and other uses;*
- *approving development proposals that accord with an up-to-date development plan without delay; and,*
- *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission...”*

18. Likewise, paragraph 38 requires that decision makers:

- *should approach decisions on proposed development in a positive and creative way;*
- *work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area;*
- *seek to approve applications for sustainable development where possible.*

19. Paragraph 78 deals with housing in the countryside and notes:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby”.

20. However, paragraph 79 seeks to maintain the presumption against isolated new dwellings in the countryside unless they are essential, noting:

“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential dwelling; or*
- e) the design is of exceptional quality, in that it:*
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area”.*

21. As far as the East Staffordshire Local Plan is concerned, Strategic Policy 8 (Development outside Settlement Boundaries) notes that development will not be permitted unless it is *inter alia*:

- *“essential to the support and viability of an existing lawful business or the creation of*

a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location..."

22. Given this policy framework it is considered appropriate to examine whether:

- there it is essential for a worker to reside on the holding; and
- the project has the prospect of being sustainable (financially viable).

Appraisal

Essential need

23. The primary test set out in the NPPF requires an assessment as whether it is essential for a rural worker to live at, or near, their place of work.
24. A modern, high yielding, dairy enterprise such as that presently being operated and which will be transferred to the application site - with 200 milking cows plus followers, with the associated breeding and calf-rearing facilities, represents a highly demanding agricultural regime due to:
- the general welfare of the number of animals involved, both cows and heifers, calves and youngstock;
 - the reproductive requirements associated with milk production, including the monitoring of oestrus in cattle and attending to calvings; and
 - the daily programme of milking.
25. Staff living on site will be required to:
- be available to assist with all of the 200+ calving events expected throughout the year;
 - check that new-born calves suckle in the first couple of hours to receive colostrum;
 - check store cattle and followers in the barns for emergency issues, such as cattle getting stuck, choking, fighting; and
 - attend to a range of issues that can occur on a farm of this scale, including fires and intruders.
26. Although not all the calving events will require intervention – and many will proceed entirely as nature intended - it is inevitable that some will require assistance, and this should be prompt, to be effective. The problem is that there is no way of knowing in advance which will require said assistance therefore every calving needs to be monitored to ensure it is proceeding smoothly.
27. In the past RAC has advised Councils - and provided evidence at appeal - that there is a need for two key workers to be readily available at most times to service the needs of dairy herds in excess of 150 cows with cows expected to be calving on a near-daily basis, and calves

needing feeding and general welfare management. At an appeal in North Dorset² for a second dwelling on a 300-cow calving unit (where the cows were actually milked on another farm) the Inspector - allowing the appeal - noted:

“The appellant has detailed the following work that needs to be undertaken. There is assistance in calving. And on this farm, as is becoming commonplace, calving is not done in batches but regularly throughout the year. Thus, it is said there is a need to monitor cows due to calve on a nearly daily basis. There is a need to check that new-born calves suckle in the first couple of hours to receive colostrum, and 8 out of 10 births are at night. Moving cows into calving bays, a regular night time occurrence with a herd of the current size, is a lengthy operation. To be able to judge the likely dates of calving there is a need to monitor the oestrus in heifers which is usually undertaken at night when the stock is quiet. There is a need to check the store cattle and heifers in the barns for emergency issues such as the cattle getting stuck, choking and fighting. The bulls need to be managed and if there is a difficulty with an animal in the yard it is said that it is unwise to enter it without a second worker present. The appellant once undertook this work with bulls alone but says that he now recognises the unacceptable risks involved in this. Finally, the appellant refers to a wide range of issues that can occur on a farm of this scale, including fires and intruders...

All in all I find the appellant’s evidence that it is unreasonable to expect just one worker to undertake this to be persuasive. Whilst the appellant may have undertaken the operation of the unit alone, other than with daytime assistance, it seems undesirable that this should continue”.

28. Likewise, in Cheshire³, with 260 dairy cows and 170 heifers the Inspector, allowing an appeal for a further dwelling, reported:

“12. Nevertheless, as the Council points out, a requirement for six full time workers does not necessarily equate to an essential need for all those employees to live at or near their place of work. The consideration is not the aspirations of the workers, but the needs of the enterprise.

13. The appellants indicate that animal welfare is of prime concern, particularly in relation to assistance during calving, which I heard at the Hearing occurs on a year

² APP/N1215/W/15/3004988, Oakwood Farm, Chapel Road, Bagber Common, Sturminster Newton, DT10 2HB

³ APP/R0660/W/17/3174446, Willow Grove Farm, Long Lane, Alpraham, Cheshire East CW6 9LH

round basis. Thus, it is said that there is a need to monitor cows before and during calving on an almost daily basis. There is, I heard, the potential for more than one cow to be calving at any one time, such is the extent of the herd, and that between one quarter and half of those could calve during the night.

15. I recognise the view of the Council that, as there is already a permanent worker on site, such problems could be addressed by them in the first instance, before calling for off-site assistance where necessary. However, it is clear from all I have seen, read and heard that the enterprise at Willow Grove Farm is a substantial one. It seems to me that, with the number of cows now involved in the enterprise, and with the level of calving which is generally spread evenly over the year, late evening and night time work is likely to be a regular occurrence. With a herd of such considerable size, and with the increased potential for problems that come with that, it would be unreasonable, in my view, to expect one worker living within the existing dwelling to be both alert to, and deal immediately with, every single out-of-hours problem that may arise with the herd on a 24 hour basis, every day of the year, particularly, as the case is here, where there is the prospect of several such circumstances occurring at the same or similar times.

28. I conclude, therefore, that there is an essential need for a second rural worker to live at or near their place of work at Willow Grove Farm..."

29. There is also the legal responsibility to ensure that animals are kept in a manner which accords them freedom from thirst, hunger and malnutrition; appropriate comfort and shelter; the prevention, or rapid diagnosis and treatment of injury, disease or infestation; freedom from fear; and freedom to display most normal patterns of behaviour.
30. Added to these are the general demands of maintaining a highly productive regime of grassland and forage management and conservation; the safe and efficient management of farm waste; and the day-to-day management requirements of a large, capital-intensive business.
31. The issue of security is also acknowledged to be an increasing problem. Although under the former PPS7 guidance it was not intended to carry much weight in a debate about essential need, on a unit where large numbers of stock are at risk from fire, trespass and vandalism, it is extremely relevant - and such risks can only adequately be managed with on-site supervision.

32. In this instance, unless permission is forthcoming, there will be **no** dwelling on site and all cows calving will be at risk – and such a scenario is untenable. The proposed accommodation would be occupied by the applicant and his family and provide rest and welfare facilities for the staff (a legal requirement). Whilst it is accepted that there will be no cows on site until the relocation has occurred it is clear from the significant investment being made that this will occur, and the former guidance in PPS7 stated that permanent agricultural dwellings would be appropriate for:

“...existing agricultural activities on well-established agricultural units...”

In this instance the agricultural activities are existing (in Dorset) and the agricultural unit is well established – owned since and farmed since 2017 and with new buildings being erected.

33. The applicants would welcome some form of planning condition that precludes occupation of the dwelling until the arrival of the cows but they do not consider the use of a temporary caravan to be a suitable option – as sustainability has already been proved.

The full-time worker test

34. Dairy cows are labour intensive and standard figures, such as those published in the John Nix Farm Management Pocket book, 49th Edition suggest that each cow will require 4.0 standard man days (SMD) per cow. This unit will have over 200 dairy cows plus followers and will have a minimum labour requirement of 900 SMDs (for the cows alone) which considerably exceeds the input of one worker and demonstrates that the accommodation would be occupied by full-time agricultural workers.

Financial sustainability

35. The NPPF no longer requires an assessment of viability as endorsed in the Courts⁴. However, one of the key requirements of the NPPF is the presumption in favour of sustainable development and in such circumstance, it is considered appropriate to provide details of the business' current performance so that an assessment of likely future sustainability can be made.
36. Mr and Mrs MacPherson have been farming in their own right since April 2012 and business accounts for the past three years are available for inspection by officers. These accounts

⁴ The Queen on the application of Embleton Parish Council, David Ainsley v Northumberland County Council v Ivor Gaston, 6 December 2013, 2013 EWHC 3631 (Admin)

show that a profitable business has been developed with profits considerably exceeding the minimum wage – in fact the 3-year average considerably exceeds £75,000 per annum.

37. In terms of the transferability of the business, it is simply noted that the current business relies on the use of rented land at approximately £30,000 per annum; and this very broadly equates entirely with the cost of the borrowed finance (agreed by the bank) for the purchase of the land, and the build cost of the agricultural buildings and house at Newchurch; thus the same broad level of profitability is forecast.
38. In terms of assessing the viability - or sustainability - of the business it is important to ensure the net profit is sufficient to provide a reasonable return to the inputs deployed in the business - namely, land, labour and capital. A reasonable return to the land is considered the rental value of owned land, say, £14,000; a reasonable return to labour is the minimum wage, currently approximately £16,500; and a reasonable return to capital is 2½ percent, which equates to some £12,000 based on the capital invested in vehicles, machinery and livestock. These total £42,500 and said amount was covered by the profit reported in each of the past three years.
39. It is also accepted that the build costs of a rural worker's dwelling should be financed by the agricultural business. The current profits shown in the accounts would be sufficient to meet the construction charges for the dwelling which would be spread over a normal borrowing period (20 to 25 year mortgage).

Alternative housing

40. There are no dwellings on the holding and there are no other dwellings available in the locality that are situated sufficiently close to the farm to meet the functional needs of the farm.
41. There are no buildings suitable for conversion.

Conclusions

- C.1 Mr and Mrs James MacPherson are seeking planning permission to erect an agricultural worker's dwelling on land they own at Newchurch to enable the continued development of a 200-cow dairy unit.
- C.2 Reading Agricultural Consultants has assessed the need for a dwelling on the unit and determined:
- i) on functional need;*
- C.3 The farm is being established as a dairy farm across some 74ha of owned land, with further 83ha rented land, and with an existing herd of 200+ pedigree British Friesian dairy cows and followers. The proper management and care of this number of stock (and their progeny) requires that a key worker to be readily available at most times to provide for the welfare needs of the cattle.
- ii) full-time worker*
- C.4 The labour required to run this unit will considerably exceed one full-time worker. It will also generate significant additional employment.
- iii) on financial viability;*
- C.5 Farm business accounts demonstrate that the existing business is profitable and sustainable, and able to fund the construction of the dwelling.
- C.6 Although there will be a requirement to relocate the dairy operations from Dorset to Staffordshire the business already exists and can demonstrate its profitability through existing accounts.
- iii) on whether suitable accommodation already exists, or buildings could be converted;*
- C.7 There are no dwellings on the holding and there are no dwellings available in the locality that are situated sufficiently close to the farm to meet the functional needs of the farm.
- C.8 There are no buildings suitable for conversion.

APPENDIX 1

Planning permissions for:

- P/2018/01500 - Erection of a Dairy Building (Phase 1), Formation of a Slurry Lagoon and Diversion of Public Footpath 43
- P/2018/01501 - Erection of a Dairy Building (Phase 2)
- P/2018/01502 - Erection of a Dairy Building (Phase 3)
- P/2018/01503 - Erection of a Dairy Building (Phase 4)

**TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT**

Date valid application received: 17/12/2018

Application No: P/2018/01500

Name and address of Agent

Name and address of Applicant

JMI Planning
62 Carter Street
UTTOXETER
ST14 8EU

Mr James Macpherson
C/O Agent

EAST STAFFORDSHIRE BOROUGH COUNCIL in pursuance of powers under the above mentioned Act hereby **PERMITS**:

**ERECTION OF A DAIRY BUILDING (PHASE 1), FORMATION OF A SLURRY LAGOON AND
DIVERSION OF PUBLIC FOOTPATH 43
LAND AT SCOTCH HILLS LANE, NEWCHURCH, STAFFS,**

in accordance with the submitted documents and plans and subject to the condition(s) specified hereunder:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans subject to compliance with other conditions of this permission:

Drawing No.s:

Location Plan 1:5000 dated as received on 27.11.18

Site Plan Phase 1 RAC/8152/10 dated as received on 17.11.18

Cross Section Phase 1 RAC/8152/11 dated as received on 27.11.18

Dairy Parlour Elevations Phase 1 RAC/8152/12 dated as received on 27.11.18

Dairy Parlour Plans Phase 1 RAC/8152/13 dated as received on 27.11.18

Roof Plan Phase 1 RAC/8152/29 dated as received on 17.11.18

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan, the East Staffordshire Design Guide, and the National Planning Policy Framework.

- 3 The development shall only be carried out in accordance with the approved materials listed below unless otherwise agreed in writing by the Local Planning Authority:
- Walls: Concrete Block Wall rendered or not with Yorkshire boarding above
 - Roof: Corrugated Metal Sheeting finished to a dark colour or Euro Six Cement Fibre Sheets in Slate Blue, anthracite or black.
 - Guttering: Half Round, black finish.

Reason: To safeguard the character and appearance of the building(s) and its surroundings in accordance with East Staffordshire Local Plan, the Yoxall Neighbourhood Plan and the NPPF.

- 4 Within 6 months of commencement of the development a scheme for the ongoing monitoring of atmospheric nitrogen/ammonia shall be submitted to and agreed in writing by the Local Planning Authority and shall be undertaken and implemented in accordance with the approved details and recommendations. The scheme shall be in accordance with current air quality legislation and measures for the reduction of atmospheric nitrogen/ammonia shall (as necessary) be undertaken in accordance with the guidance contained within the Code of Good Agricultural Practice (COGAP) for Reducing Ammonia Emissions completed by the Department for Environment Food and Rural Affairs.

Reason: To safeguard protected species, their habitats and local ancient woodlands in accordance with the East Staffordshire Local Plan and the National Planning Policy Framework.

- 5 Within six months of completion of the development an Ecology Management Plan, or similarly titled document, shall be submitted to and approved in writing by the Local Planning Authority detailing the protection measures, habitat enhancement methods, monitoring and the proposed mitigation / compensation for species and habitats as proposed in the Ecological Walkover January 2019 by Frances Horsford. The approved details shall be implemented within 6 months of the date of the approved details and retained for the life of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard protected species and their habitats in accordance with the East Staffordshire Local Plan and the National Planning Policy Framework.

Informative(s):

- 1 During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.
- 2 The application recognises Public Footpath No 46 Yoxall which runs across the application site. The Site Plan shows the intent to divert this footpath around the application site. This proposal will have to be actioned by you under the Town and Country Planning Act 1990, Section 257 and will need to be consulted on in the usual way including by Staffordshire County Council. To clarify the

procedure, when we are formally consulted in due course, we will then inspect the route on the ground and make any comments about the proposal and the Diversion Order. If you wish, we are able to provide a suitable Order Map to go with the Diversion Order at an agreed cost.

Any planning permission granted does not construe the right to divert, extinguish or obstruct any part of the public path. The developer has to apply to under section 257 of the Town and Country Planning Act 1990 to your Council to divert the footpath to allow the development to commence. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

- 3 Within the Ecology Management Plan mentioned as part of Condition 5 there should be no spreading of artificial in the restored grassland area. A detailed survey of the grassland restoration area should be undertaken in late spring or summer using DAFOR methodology to give a baseline before restoration. Habitats should be monitored with a repeat survey 3 years after creation and the results reported to the LPA and other relevant consultees.
- 4 The buildings, lagoon and wider unit should be operated in accordance with the 'Code of Good Agricultural Practice (COGAP) for Reducing Ammonia Emissions completed by the Department for Environment Food and Rural Affairs.
- 5 The applicant(s) is/are advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of protected species is found during construction all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

This permission is granted by the under signed under powers delegated by the Borough Council in accordance with the provisions of Section 101 of the Local Government Act 1972.

This consent is given in pursuance of the relevant Planning Legislation and does not entitle you to do anything for which the consent of some other landowner, person, public authority, or department of the Council is required.

Dated 22nd February 2019

Signed



Sal Khan CPFA, MSc
Head of Service (Section 151 Officer)
P.O. Box 8045, Burton upon Trent, Staffordshire DE14 9JG
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Decision Notice Del – PA Approve Conditions

**TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT**

Date valid application received: 17/12/2018

Application No: P/2018/01501

Name and address of Agent

Name and address of Applicant

JMI Planning
62 Carter Street
UTTOXETER
ST14 8EU

Mr James Macpherson
C/O Agent

EAST STAFFORDSHIRE BOROUGH COUNCIL in pursuance of powers under the above mentioned Act hereby **PERMITS**:

**ERECTION OF A DAIRY BUILDING (PHASE 2)
LAND AT SCOTCH HILLS LANE, NEWCHURCH, STAFFORDSHIRE**

in accordance with the submitted documents and plans and subject to the condition(s) specified hereunder:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans subject to compliance with other conditions of this permission:

Drawing No.s:

Location Plan 1:5000 dated as received on 27.11.18
Site Plan Phase 2 RAC/8152/14 dated as received on 17.11.18
Cattle Shed Elevations Phase 2 RAC/8152/16 dated as received on 27.11.18
Cattle Shed Plans Phase 2 RAC/8152/17 dated as received on 27.11.18
Roof Plan Phase 2 RAC/8152/30 dated as received on 17.11.18

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan, the East Staffordshire Design Guide, and the National Planning Policy Framework.

- 3 The development shall only be carried out in accordance with the approved materials listed below unless otherwise agreed in writing by the Local Planning Authority:
- Walls: Concrete Block Wall rendered or not with Yorkshire boarding above
 - Roof: Corrugated Metal Sheeting finished to a dark colour or Euro Six Cement Fibre Sheets in Slate Blue, anthracite or black.
 - Guttering: Half Round, black finish.

Reason: To safeguard the character and appearance of the building(s) and its surroundings in accordance with East Staffordshire Local Plan, the Yoxall Neighbourhood Plan and the NPPF.

Informative(s):

- 1 During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.
- 2 The buildings and wider unit should be operated in accordance with the 'Code of Good Agricultural Practice (COGAP) for Reducing Ammonia Emissions completed by the Department for Environment Food and Rural Affairs.
- 3 The applicant(s) is/are advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of protected species is found during construction all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

This permission is granted by the under signed under powers delegated by the Borough Council in accordance with the provisions of Section 101 of the Local Government Act 1972.

This consent is given in pursuance of the relevant Planning Legislation and does not entitle you to do anything for which the consent of some other landowner, person, public authority, or department of the Council is required.

Dated 22nd February 2019

Signed



**TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT**

Date valid application received: 17/12/2018

Application No: P/2018/01502

Name and address of Agent

Name and address of Applicant

JMI Planning
62 Carter Street
UTTOXETER
ST14 8EU

Mr James Macpherson
C/O Agent

EAST STAFFORDSHIRE BOROUGH COUNCIL in pursuance of powers under the above mentioned Act hereby **PERMITS**:

**ERECTION OF A DAIRY BUILDING (PHASE 3)
LAND AT SCOTCH HILLS LANE, NEWCHURCH, STAFFORDSHIRE**

in accordance with the submitted documents and plans and subject to the condition(s) specified hereunder:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans subject to compliance with other conditions of this permission:

Drawing No.s:

Location Plan 1:5000 dated as received on 27.11.18
Site Plan Phase 3 RAC/8152/18 dated as received on 17.11.18
Cattle Shed Elevations Phase 3 RAC/8152/20 dated as received on 27.11.18
Cattle Shed Plans Phase 3 RAC/8152/21 dated as received on 27.11.18
Roof Plan Phase RAC/8152/31 dated as received on 17.11.18

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan, the East Staffordshire Design Guide, and the National Planning Policy Framework.

- 3 The development shall only be carried out in accordance with the approved materials listed below unless otherwise agreed in writing by the Local Planning Authority:
- Walls: Concrete Block Wall rendered or not with Yorkshire boarding above
 - Roof: Corrugated Metal Sheeting finished to a dark colour or Euro Six Cement Fibre Sheets in Slate Blue, anthracite or black.
 - Guttering: Half Round, black finish.

Reason: To safeguard the character and appearance of the building(s) and its surroundings in accordance with East Staffordshire Local Plan, the Yoxall Neighbourhood Plan and the NPPF.

Informative(s):

- 1 During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.
- 2 The buildings and wider unit should be operated in accordance with the 'Code of Good Agricultural Practice (COGAP) for Reducing Ammonia Emissions completed by the Department for Environment Food and Rural Affairs.
- 3 The applicant(s) is/are advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of protected species is found during construction all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

This permission is granted by the under signed under powers delegated by the Borough Council in accordance with the provisions of Section 101 of the Local Government Act 1972.

This consent is given in pursuance of the relevant Planning Legislation and does not entitle you to do anything for which the consent of some other landowner, person, public authority, or department of the Council is required.

Dated 22nd February 2019

Signed



Sal Khan CPFA, MSc
Head of Service (Section 151 Officer)
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Page 2 of 4

Decision Notice Del – PA Approve Conditions

**TOWN AND COUNTRY PLANNING ACT 1990
PERMISSION FOR DEVELOPMENT**

Date valid application received: 17/12/2018

Application No: P/2018/01503

Name and address of Agent

Name and address of Applicant

JMI Planning
62 Carter Street
UTTOXETER
ST14 8EU

Mr James Macpherson
C/O Agent

EAST STAFFORDSHIRE BOROUGH COUNCIL in pursuance of powers under the above mentioned Act hereby **PERMITS**:

**ERECTION OF A DAIRY BUILDING (PHASE 4)
LAND AT SCOTCH HILLS LANE, NEWCHURCH, STAFFORDSHIRE**

in accordance with the submitted documents and plans and subject to the condition(s) specified hereunder:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans subject to compliance with other conditions of this permission:

Drawing No.s:

Location Plan 1:5000 dated as received on 27.11.18
Site Plan Phase 4 RAC/8152/22 dated as received on 17.11.18
Cattle Shed Elevations Phase 4 RAC/8152/24 dated as received on 27.11.18
Cattle Shed Plans Phase 4 RAC/8152/25 dated as received on 27.11.18
Roof Plan Phase 4 RAC/8152/32 dated as received on 17.11.18

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan, the East Staffordshire Design Guide, and the National Planning Policy Framework.

- 3 The development shall only be carried out in accordance with the approved materials listed below unless otherwise agreed in writing by the Local Planning Authority:
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 - Roof: Corrugated Metal Sheeting finished to a dark colour or Euro Six Cement Fibre Sheets in Slate Blue, anthracite or black.
 - Guttering: Half Round, black finish.

Reason: To safeguard the character and appearance of the building(s) and its surroundings in accordance with East Staffordshire Local Plan, the Yoxall Neighbourhood Plan and the NPPF.

Informative(s):

- 1 During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.
- 2 The buildings and wider unit should be operated in accordance with the 'Code of Good Agricultural Practice (COGAP) for Reducing Ammonia Emissions completed by the Department for Environment Food and Rural Affairs.
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This permission is granted by the under signed under powers delegated by the Borough Council in accordance with the provisions of Section 101 of the Local Government Act 1972.

This consent is given in pursuance of the relevant Planning Legislation and does not entitle you to do anything for which the consent of some other landowner, person, public authority, or department of the Council is required.

Dated 22nd February 2019

Signed

