

For office use only

Application No: **320110753 P**

Date received

Fee paid £

Receipt No:

Council Offices, Church Walk, Clitheroe, Lancashire. BB7 2RA Tel: 01200 425111 www.ribblevalley.gov.uk

Application for Planning Permission. 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:	Mr	First name:	D	Surname:	Barnes
Company name:					
Street address:	C/o Agent				
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:	Mr	First Name:	Alan	Surname:	Kinder
Company name:	Reedley Town Planning				
Street address:	2 Reedley Business Centre Redman Road				
	Reedley				
Town/City:	Burnley				
County:	Lancashire				
Country:	United Kingdom				
Postcode:	BB10 2TY				

Telephone number:	Country Code	National Number	Extension Number
		01282834834	
Mobile number:			
Fax number:			
Email address:	planning@reedley.co.uk		

3. Description of the Proposal

Please describe the proposed development including any change of use:

Cow Handling Building

Has the building work or change of use already started?

☐ Yes ☒ No

4. Site Address Details

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

Description:

House:	<input type="text"/>	Suffix:	<input type="text"/>
House name:	WITHGILL FARM		
Street address:	WITHGILL FOLD		
	WITHGILL		
Town/City:	CLITHEROE		
County:	<input type="text"/>		
Postcode:	BB7 3LW		
Description of location or a grid reference (must be completed if postcode is not known):			
Easting:	370705		
Northing:	440944		

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

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:

Concrete retaining wall and yorkshire boarding to one elevation

Roof - description:

Description of *existing* materials and finishes:

N/a

Description of *proposed* materials and finishes:

Corrugated steel

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:

Das
Land Ownership Map
BARN/20 Dwg 01
BARN/20 Dwg 02

10. Vehicle Parking

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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	N/a		

11. Foul Sewage

Please state how foul sewage is to be disposed of:

Mains sewer ☐ Package treatment plant ☐ Unknown ☐
Septic tank ☐ Cess pit ☐

Other

N/a

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**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:

Agricultural land

Is the site currently vacant? ☐ Yes ☒ No

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 ☒ NoLand where contamination is suspected for all or part of the site? ☐ Yes ☒ NoA 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

Use class/type of use	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Total gross new internal floorspace proposed (including changes of use) (square metres)	Net additional gross internal floorspace following development (square metres)
A1 Shops Net Tradable Area	0.0	0.0	0.0	0.0
A2 Financial and professional services	0.0	0.0	0.0	0.0
A3 Restaurants and cafes	0.0	0.0	0.0	0.0
A4 Drinking establishments	0.0	0.0	0.0	0.0
A5 Hot food takeaways	0.0	0.0	0.0	0.0
B1 (a) Office (other than A2)	0.0	0.0	0.0	0.0
B1 (b) Research and development	0.0	0.0	0.0	0.0
B1 (c) Light industrial	0.0	0.0	0.0	0.0
B2 General industrial	0.0	0.0	0.0	0.0
B8 Storage or distribution	0.0	0.0	0.0	0.0
C1 Hotels and halls of residence	0.0	0.0	0.0	0.0
C2 Residential institutions	0.0	0.0	0.0	0.0
D1 Non-residential institutions	0.0	0.0	0.0	0.0
D2 Assembly and leisure	0.0	0.0	0.0	0.0
Other Please Specify	0.0	0.0	396.0	396.0
Total	0.0	0.0	396.0	396.0

For hotels, residential institutions and hostels, please additionally indicate the loss or gain of rooms:

Use Class	Types of use	Existing rooms to be lost by change of use or demolition	Total rooms proposed (including changes of use)	Net additional rooms
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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 Start Time End Time	Saturday Start Time End Time	Sunday and Bank Holidays Start Time End Time	Not Known
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21. Site Area

320110753 P

What is the site area?

00.04

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: Mr

First name:

Alan

Surname:

Kinder

Person role:

Agent

Declaration date:

15/09/2011



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 was 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: Mr

First Name:

Alan

Surname:

Kinder

Person role:

Agent

Declaration date:

15/09/2011



Declaration Made

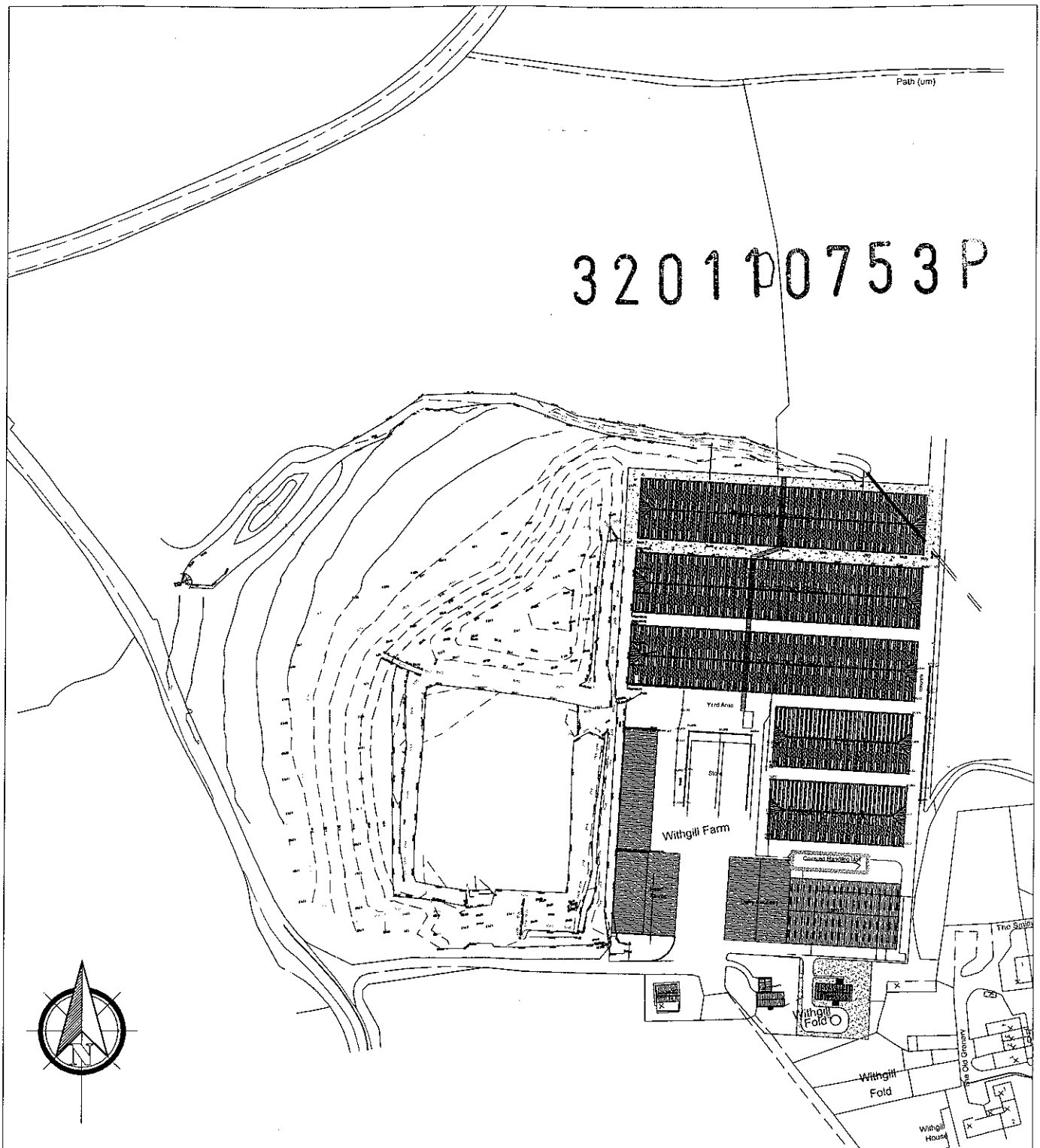
26. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information



Date

15/09/2011



Reedley

**Chartered Town Planning &
Architectural Consultancy**

2 Reedley Business Centre, Redman Road
Reedley Burnley Lancashire, BB10 2TY

Tel: 01282 834834 **Fax:** 01282 451666
eMail: planning@reedley.co.uk

Title: Proposed Agricultural Building
Withgill Farm
Mitton
Clitheroe

Location Plan

Client: David Barnes

Project No: BARN/20 Dwg 01

Scale: 1:2500

Date: 15.09 11

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Notes:

All work is to be carried out to the latest current British standards Codes of Practice and recognised working practices.

All work and materials should comply with Health and Safety legislation.

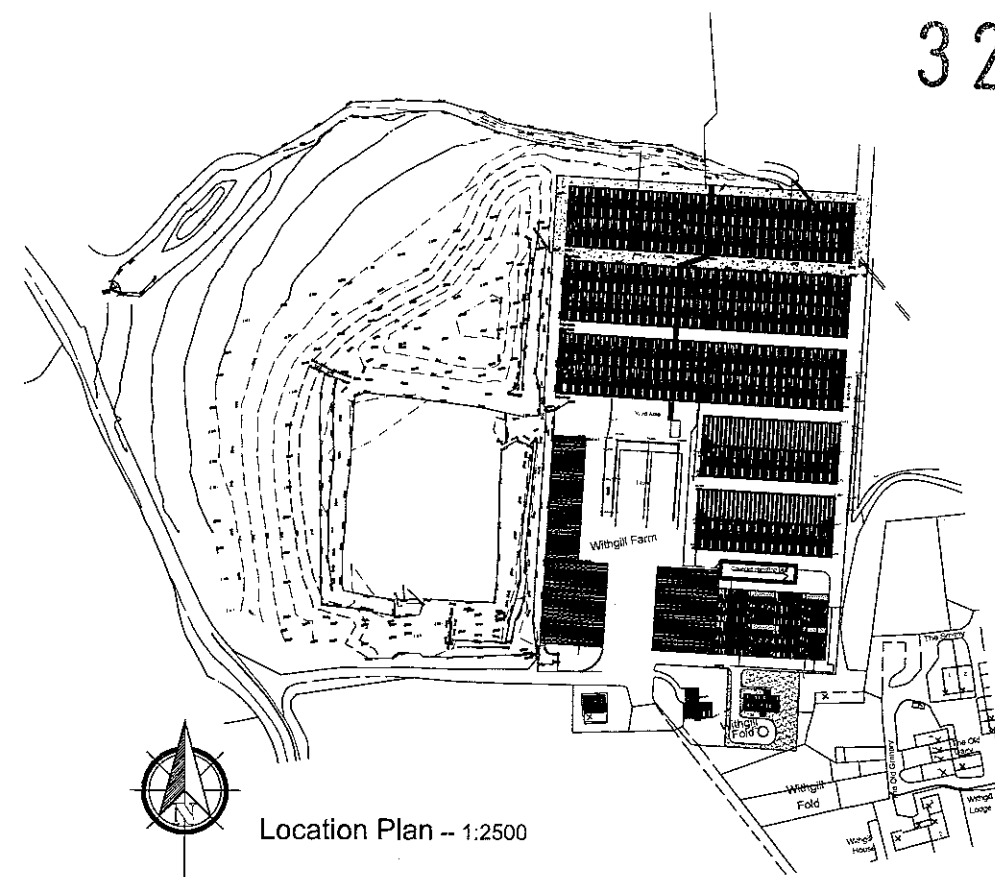
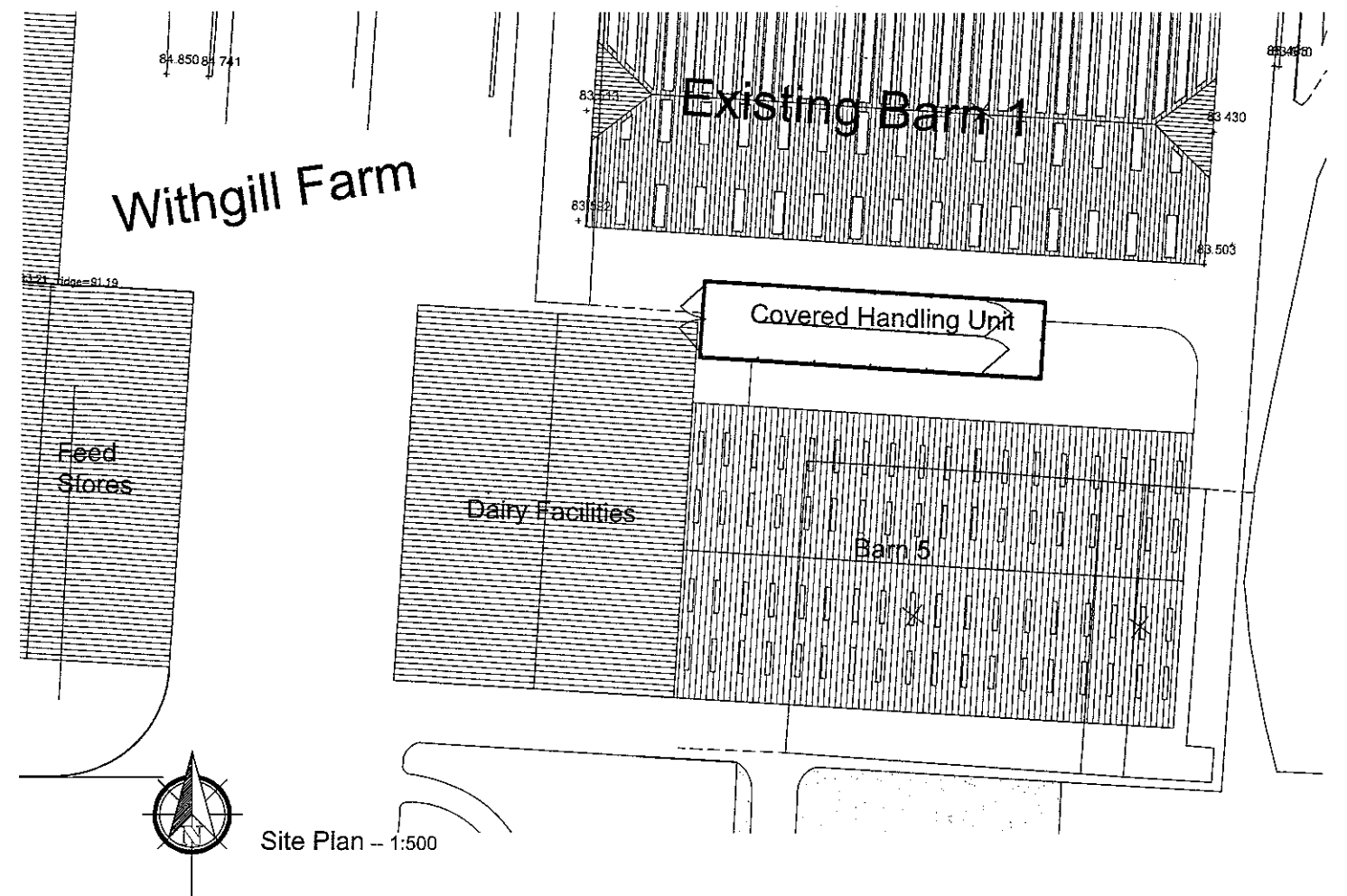
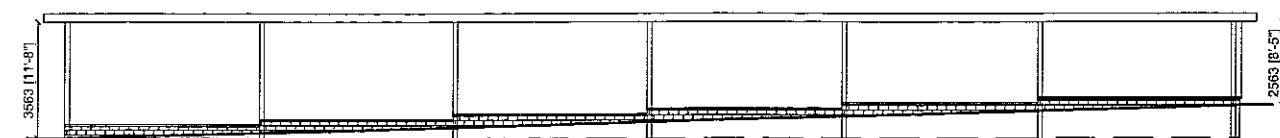
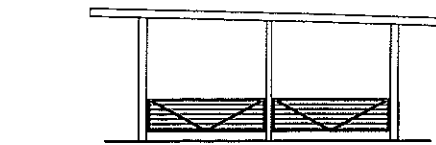
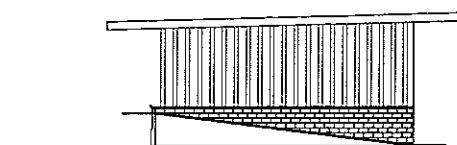
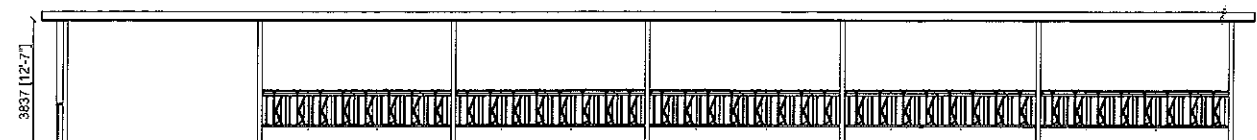
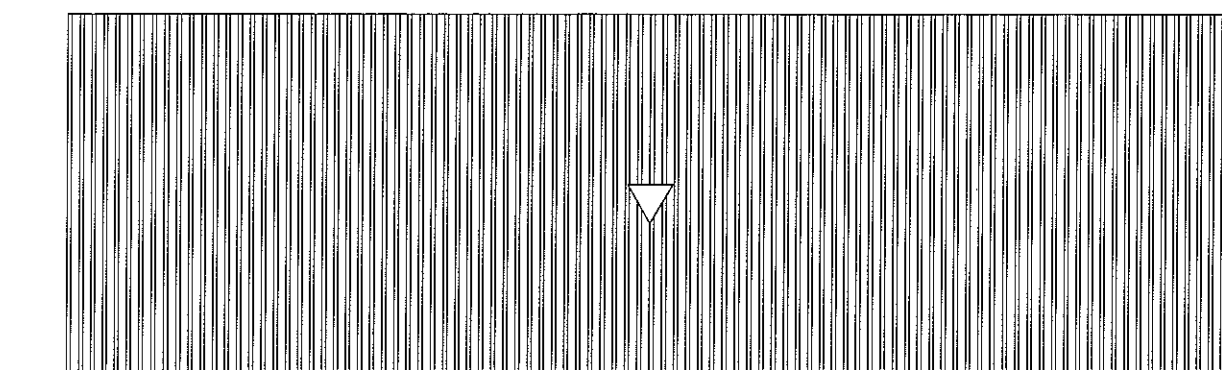
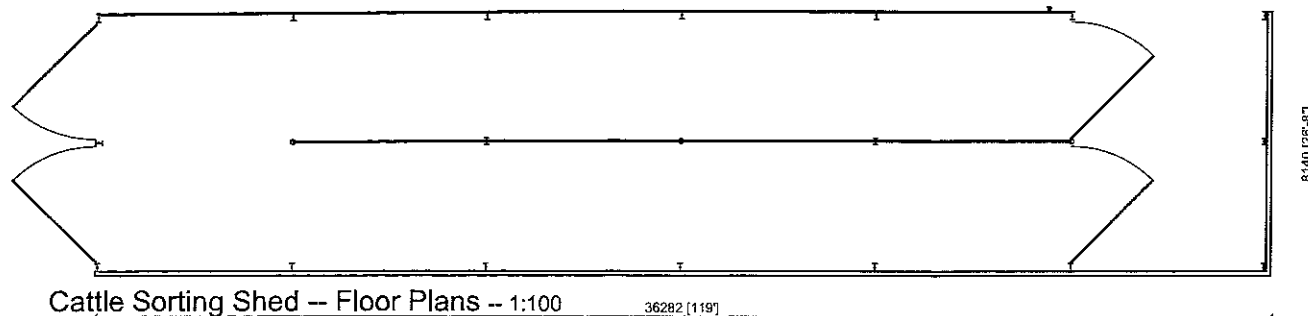
All work and materials to be approved by the District Authority Building Control Officer

All dimensions are in millimetres unless where explicitly shown otherwise

The contractor should check and certify all dimensions as work proceeds and notify the architect of any discrepancies

Do not scale off the drawings. if in doubt ask

Reedley Chartered Town Planning & Architectural Consultancy are not liable for work undertaken prior to Full Planning Consent and or Building Regulations Approval



320110753P

Reedley

Chartered Town Planning & Architectural Consultancy

2 Reedley Business Centre, Redman Road
Reedley Burnley Lancashire BB10 2TY

Tel: 01282 834834 Fax: 01282 451666
eMail: planning@reedley.co.uk

Title: Cattle Sorting Shed
Withgill Farm
Milton
Clitheroe

Project No: BARN/20 Dwg 02

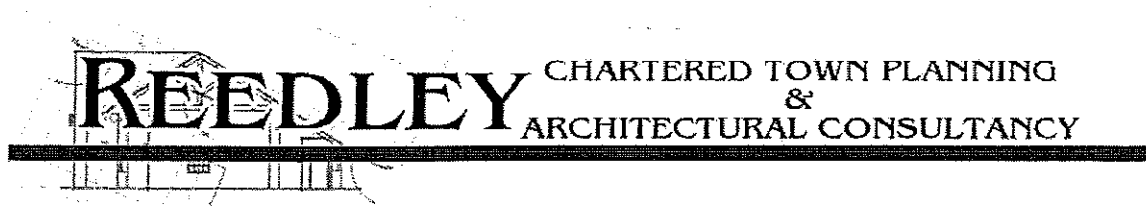
Drawn: RJ

Client: David Barnes

Date: 05.09.11

Scale: Various @ A2

Amendments:



DESIGN AND ACCESS STATEMENT

SITE: WITHGILL FARM, MITTON, WHALLEY, CLITHEROE

PROPOSAL: COW HANDLING BUILDING

1 ASSESSMENT

- 1.1 Withgill Farm is situated in the open countryside between Clitheroe and Chaigley and is approached from the west via a short track. Land in the vicinity is undulating and primarily in agricultural use, and characterised by the hedges with mature trees that form the field boundaries. Historically the working farm was sold off from the farmhouse, which along with the traditional buildings that have been converted for residential use has been in separate ownership for many years. These buildings, known collectively as Withgill Fold, are located to the south east of the farm.
- 1.2 Withgill Farm now comprises a modern farmhouse occupied by the farm manager and a second farm dwelling occupied by the herdsman and a dormitory style group home for use by foreign farm workers, together with substantial ranges of portal frame agricultural buildings which house 1500 dairy cattle and associated needs arising. These buildings equate to the completion of phase II of the planned expansion of the herd, which added 30% to the stocking levels. That development also necessitated the construction of a substantial slurry lagoon, which is located on the west side of the complex and

screened by earth banking. More recently planning consent was granted for an additional phase of development with a further cattle building with a capacity to house another 540 cows.

- 1.3 Policies in the development plan are informed by government advice detailed in Planning Policy Guidance (PPG's) and Planning Policy Statements (PPS's). The development plan currently includes policies saved from the Ribble Valley Districtwide Local Plan. Saved policies of relevance include ENV2 which seeks to ensure that development protects, conserves and wherever possible enhances the landscape and character of the areas adjacent to the AONB, G1 which sets out a number of development control criteria and G5 which limits development outside the settlement boundaries to specific uses including that necessary for the purposes of agriculture.

2 INVOLVEMENT

- 2.1 Given the location of the relatively modest building in the midst of the unit then this has not necessitated pre application discussions with the local authority.

3 EVALUATION

- 3.1 The milking regime at withgill farm has the capability to be adapted to enable additional dairy cows to be milked within the present 22 hours cycle and in order to capitalise on this and maximise efficiency within the overall farming operation it is proposed to develop a cow handling building sited close to the milking parlour in order to improve the marshalling of cows lead up for milking.

4 DESIGN

- 4.1 The building will be portal framed with a mono pitched roof with an internal gated system to hold and marshal cattle awaiting milking the building will measure 22.5m x 5m but with an eaves overhang on the roof to provide more protection from the elements. The highest part of the roof will be 2.6m.

5 ACCESS

5.1 This application raises no issues in respect of access to the site

Reedley Town Planning & Architectural Consultancy
2 Reedley Business Centre, Redman Road
Reedley, Burnley, BB10 2TY

Tel – 01282 834834

September 2011

Director - Alan Kinder, Dip.T.P (Leeds), MRTPI

Company Secretary - Val Kendall

2, Reedley Business Centre, Redman Road, Burnley, Lancashire, BB10 2TY

Phone - 01282 834834 Fax - 01282 451666 Web - www.reedley.co.uk email - planning@reedley.co.uk

Reedley Chartered Town Planning And Architectural Consultancy is The Trading Name Of Reedley Town Planning & Design Ltd
Company no 7105324 Registered in England and Wales

**ADDITIONAL INFORMATION REQUIRED FOR NEW
AGRICULTURAL BUILDINGS AND FARMHOUSES**



Ribble Valley Borough Council

Application No:

Agricultural /Countryside Planning Application

(Please note if the proposal is for a non-agricultural building questions relating to labour workforce will not be relevant)

Applicant Name WITHKIN FARM LTD

Application site WITHKIN FARM, WITHKIN, NR LITHELE

Proposed Development COW HANDLING BUILDING

Previous Applications MOST RECENT - 3/2010/0747

1. Land – (Total Areas in Hectares)

Owned

SEE ATTACHED REPORT FROM COUNTY
LAND AGENT DATED 22ND OCTOBER 2010

Rented

TOGETHER WITH APPENDICES WHICH PROVIDES
THE MOST COMPREHENSIVE ASSESSMENT (INDEPENDENT)
OF THE FARMING REGIME.

Short-term

Land use: Pasture

Meadow

Crop

Crop

Land Quality (DA/SDA/NVZ)

2. Enterprise

Dairy: Pedigree/commercial Dairy Cows

In-calf heifers

Bulling heifers

Calving

Young stock

Milk Quota

Beef Breeding: Suckler cows

Calving

Heifers

Calves

Beef Rearing: Store Cattle (ages)

Calves

Age at purchase

Age at sale

Bulls

Sheep: Pedigree/commercial Breeding ewes

Lambs

Store sheep

Lambing period

Lambing location

Other

3. Labour & Accommodation

Name	Age	Basis (F/t, P/t, Cas)	Hours of work/length	Main duties	Address and years

Misc

Existing Dwellings

Other Properties (incl occupiers)

Previously owned properties

Available properties in locality

4. Proposed Development/Applicant'(s) Comments

Need

Siting

Design

Future Plans

5. Financial Details

320110753P

7. Farm Buildings

(Please give details of existing farm buildings and their uses)

1. There are no farm buildings on the property.

There are no farm buildings on the property.

DIRECTOR OF DEVELOPMENT	
22 OCT 2010	
FOR THE ATTENTION OF	



(01772) 530731

(01772) 533165

wayne.selway@property.lancscc.gov.uk

Mr C Sharpe
Council Offices
Church Walk
Clitheroe
Lancashire
BB7 2RA

Your ref

Our ref

Date:

PG/LAWS/3/19/8092

22nd October 2010

Dear Mr Sharpe

**APPLICATION NUMBER 3/2010/0747
WITHGILL FARM, WITHGILL FOLD, WITHGILL, CLITHEROE**

I refer to your consultation letter concerning the above application and have the following comments to make:

Introduction

A planning application has been submitted by Mr A Kinder of Reedley Town Planning on behalf of Withgill Farm Ltd for the construction of a new cow building with earth mounding and landscaping. An inspection of the application site was made on 27 September 2010 whilst Mr D Barnes the managing director of Withgill Farm Ltd and his agent were present.

Background Information and Previous Planning Applications

Lancashire County Council Property Group has previously commented on numerous applications at Withgill Farm. This includes application numbers 3/2008/0129 and 3/2005/1011 and 1079 and our reports concerning these earlier applications attached in appendix 1, provide background information concerning the applicant's operations. The current application relates to the erection of a new cattle housing facility to increase the dairy herd and to accommodate the dry cows on site.

Changes since 2008

Since the 2008 report whilst the area of land farmed remains unchanged, the numbers of cows milked by the farm has increased to 1900. All the cows are at present milked three times a day. The storage building granted consent under application number 3/2008/0129 is yet to be built.

Wayne Selway
Senior Assistant Land Agent
Property Group • PO Box 26 •
County Hall • Preston • PR1 8RE

Mr C Sharpe

22 October 2010

Existing Buildings

The farm buildings include two steel portal frame cubicle cow buildings each measuring 67m x 28m x 3m high to the eaves, with Yorkshire boarding above concrete panels and open fronted sides. Used to house 540 cows each, as part of the dairy herd. Two further cubicle buildings of the same construction house 270 cows. In addition dry cows and those which are calving are housed in original buildings on the site constructed of a steel portal frame.

The milking parlour is a rotary system housed in a steel portal framed building with a collecting yard to the side. There are a further two buildings used to store feed, and two silage clamps.

A silage clamp and 270 dry cows are housed at Bashall Barn, which is a mile away. The cows are taken then when they dry off and brought back two and a half weeks before calving.

Proposed Development

It is proposed to construct a new cow building with earth mounding and landscaping. The development is proposed in order to bring the dry cows from Bashall Barn to the Withgill site to improve efficiency. The building would also be used to house an additional 270 dairy cows to expand the herd to 2170.

The proposed building would measure approximately 138m x 28.8m and would be constructed with a steel portal frame, Yorkshire boarding above concrete blocks and fibre cement roof sheets. The sides would be open fronted to allow maximum ventilation.

Assessment

I note that the proposed development is in an area designated as open countryside in the adopted local plan on which guidance is provided in Policy ENV3. When assessing the proposed development I consider the following matters should be addressed:

1. **The development must be reasonably necessary for the purposes of agriculture within the unit.**

The proposed use of the building is for the housing of cows and is proposed to serve two purposes: to increase the dairy herd by a further 270 milking cows and to also house the dry cows, which are currently housed away from the site at Bashall Farm. In order to expand the dairy herd then clearly an additional housing facility is required. From our previous reports, I understand that cow numbers have previously been limited by the capacity of the milking process. However, I was informed by the applicant that the efficiency of the milking parlour is in the process of being improved e.g. new jets have been installed and a new vacuum system is to be fitted. In

Mr C Sharpe

22 October 2010

addition, the milking regime has been amended e.g. the number of milkings and washings have been changed. Taking this information into account, I am satisfied that an increase in cow numbers can be sustained in the milking process.

In relation to the dry cows, I recognise that currently staff are required to undertake multiple trips to the site each day to feed and check stock and that cows, including pregnant cows are regularly transported. Whilst this has taken place for a number of years, housing all the cows on one site would be beneficial from both an operational and husbandry point of view.

Please note that whilst I am satisfied that the applicant will be able to provide the increase in feed required e.g. by buying in additional feed, there could potentially be a requirement for further facilities to store silage. I have also not been provided with detailed information concerning the slurry storage capacities and verification should be sought to ensure that the waste produced from the increase in cow numbers can be stored.

2 The design of the building is appropriate for its intended use.

The proposed design of the building is typical of an agricultural building and identical to those already on site, which were approved under application number 3/2005/1079. The open sides allow maximum ventilation and cubicles are typical of dairy cow housing.

3 Siting

I consider the siting of the building to be appropriate from an operational point of view, as it is in close proximity to the other buildings.

I would be obliged to receive a copy of your Decision Notice in due course.

Yours sincerely



Wayne Selway MRICS FAAV
Land Agent
on behalf of the Director of Property

320110753 P

Appendix 1

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Director of Development Services
Ribble Valley Borough Council
Council Offices
Church Walk
CLITHEROE
BB7 2RA
(FAO Colin Sharpe)

Your ref CONCE3/2008/0129
Our ref PG/LA/INB/PA/3/19/7375/LK
Date: 5 June 2008

Dear Mr Sharpe

**APPLICATION NUMBER 3/2008/0129
WITHGILL FARM, MITTON, WHALLEY
GRID REFERENCE 705410**

I refer to your consultation letter concerning the above planning application and have the following observations to make:

Introduction

A planning application has been submitted by Withgill Farm Limited for the erection of an agricultural building to provide dry feed storage. I have discussed the circumstances surrounding the submission of the application with Mr D Barnes (Managing Director) and Mr Kinder (agent) during the course of my site inspection on 26 February 2008. The information provided together with the written submissions made in support of the application forms the basis of my appraisal.

Background Information

The applicant's large scale (1600 cattle) dairy cattle enterprise is operated adopting a continual housing system except for dry cows that graze during the grazing period. By adopting this system of farming the cattle are fed a managed diet which involves buying-in various feed components to add to the basic roughage consisting of silage and/or hay. The applicant adopted this system of farming when the increased scale dairy operations started during early 2000's. An eight bay open fronted steel frame building existed on site at the time and this was used for storing bought-in feeds. I am advised as the scale of the dairy has increased i.e. now operating at 1600 cattle the quantities of bought-in feed has also increased as also the varieties of types of feed which are bought-in. I was advised as the storage requirements outgrew the existing building storage of feed was then extended into the undercover manure store building which adjoins it.

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Director of Development Services

5 June 2008

3. I feel although the application building covers a substantial floor area and proposes an untypical high eaves and ridge height, I feel the building is appropriate for its proposed use
4. I am aware that Farm Assurance requirements are ever increasingly being enforced and if not complied with farmers run the risk of not selling their produce. The principal issues raised to justify the development I consider are sufficient to justify that the proposed development as reasonably necessary for the purposes of agriculture

I would be obliged to receive a copy of your Decision Notice in due course.

Yours sincerely

Land Agency Manager
On behalf of the Director of Property

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Director of Development Services
Ribble Valley Borough Council
Council Offices
Church Walk
CLITHEROE
Lancashire
BB7 2RA
(FAO Colin Sharpe)

Your ref CONCE3/2605/1011 & 2005/1079
Our ref PG/LA/INB/PA/3/19/6533 &
Date: 6559/LK
27 February 2006

Dear Sir

**APPLICATION NUMBERS 3/2005 1011 AND 1079
WITHGILL FARM, MITTON, WHALLEY, CLITHEROE
GRID REFERENCE 705410**

I refer to your consultation letter concerning the above planning application and have the following observations to make:

Introduction

Two planning applications have been submitted by Withgill Farms Limited, one for the erection of farm workers dwelling and the other to extend two existing dairy cattle accommodation buildings, erect an enlarged replacement slurry store and undertake associated landscaping. I inspected the application site on 17 January whilst Mr D Barnes, the company's Managing Director, Mr G Surtees the Company's Agricultural Advisor and a Director and Mr A Kinder (agent) were also present. The information provided together with the written submissions made in support of the application forms the basis of this appraisal.

Background Information

I was informed the circumstances surrounding the submission of both planning applications are not specifically related to each other. With reference to the application relating to the provision of a farm worker's dwelling, I was advised at the time of the site inspection that the proposed dwelling was necessary to provide shared management responsibility of the day to day operations associated with the dairy herd. The Company employs a herdsman/stockman who is also one of the three Directors of the Company and also an assistant herdsman/stockman who does not carry any management position within the Company.

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Director of Development Services

22 February 2006

I was advised that the head herdsman/stockman does not have any on site relief to cover on the occasions he has time off or to share night time responsibilities. It is felt that a second dwelling on site is necessary from an operation/perspective and would enable the Company to recruit a suitably experienced person

On the other hand, I note in the Environmental Statement prepared by Reading Agricultural Consultants dated December 2005, that reference is made to the envisaged use of the proposed new dwelling would be utilised by four additional farm workers needed to operate the intended expansion of the dairy herd system

It was apparent though following the recent site inspection that there are three mobile homes positioned adjacent to one of the agricultural buildings and these are currently occupied by foreign sourced labourers although the presence of these caravans on site is unauthorised. I was advised by Mr Kinder that the applicant and the LPA are in discussion over whether the siting of the mobile homes can be regularised and if so, a retrospective application will be made

The submission of an application to expand the cattle housing and slurry storage facilities is as a result of the intention to expand milk production through increasing the size of the dairy herd. I was advised that the degree of expansion of the herd is particularly restricted to the through-put of the milking parlour given the logistics of milking high numbers of cattle. Currently the herd are milked three times each day whereas under the proposed system a proportion i.e. cattle in the peak of their lactation will be milked three times per day and the rest twice per day

It is felt by Mr Barnes that at the proposed scale of production the unit will be at optimum production in accordance with the milking facilities on site.

Previous Applications

I have been consulted on several planning applications relating to proposed agricultural development proposed by Messrs Barnes on this unit

The initial one being application number 3/93/796 for the erection of a farm worker's dwelling. At the time the applicants, The Trustees of G B Barnes Settlement were in the process of purchasing the farm from the owner Mr Walker. The owner had retained from the sale the original farmhouse and traditional buildings and cottages and whilst I felt that the farm operations justified the presence of on-site accommodation, I should not overlook that there were existing dwellings associated with the unit, some of which were available to purchase. I am aware planning permission was approved.

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I commented upon application number 99/166 which was proposing to develop the new dairy unit with the view of accommodating 960 dairy cows and followers compared to the existing system at the time being in the region of 250 dairy cows. I am aware of the consultations which took place at the time in view of the concerns in particular by nearby private residents. I commented that I felt that the proposed scale of operation could be sustained on the unit.

I was consulted upon a recent application 05/465 which was proposing to erect a building to provide covered manure storage. Although I did not formally comment on this application I discussed the application with the Planning Officer and agreed that the scale of building was justified. It was apparent from my recent inspections that the proposed building was erected.

Agricultural Land

Withgill Farm is owned by Messrs Barnes and this extends to 350 hectares (865 acres) which I understand is generally contained within a ring fence. As well as the farmstead at Withgill Farm there is also a house and buildings located at Bashall Town Farm located approximately one mile from the Withgill Site and is where David Barnes lives. The Company Withgill Farm Limited of which David Barnes is one of three Directors leases the farmstead area at Withgill Farm together with 44 hectares (109 acres) of land from Messrs Barnes. Messrs Barnes lease the remainder of the land i.e. 306 hectares (756 acres) to a farmer for commercial sheep production.

Agricultural Enterprise

Withgill Farm Limited operates a dairy herd system of farming currently keeping a 'flying' herd of 1120 cows. The expansion from 960 cows was achieved through ceasing to rear dairy replacement cattle as was the original policy. Under a 'flying' herd system replacement cattle for the herd are generally purchased as in-calf cattle and then remain in the herd until they need to be culled. The applicants are currently operating a three times per day milking regime in order to maximize production.

The calves produced are not managed by the Company after the initial colostrum has been administered by the cow to its calf following the birth. The Company receives a payment for each live calf produced.

In view of the scale of this dairy unit, the cattle producing milk are managed operating a zero grazing system whereby they are fed a managed diet consisting of bought-in feeds and are continually housed. The dry cows and in-calf cattle do graze during the grazing season and this is why the Company has 44 hectares (108 acres) of land at its disposal.

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Agricultural Buildings

There are a range of buildings and structures at Withgill Farm utilised in conjunction with the applicant's dairy herd system of farming as follows:

There are cattle housing facilities utilising the four buildings erected following granting of planning permission in respect of application number 3/99/166. These buildings each measure 67m x 28m x 3m high to eaves. In addition, cattle are also housed utilising the original buildings erected on this site built in approximately 1980 consisting of a steel portal frame structure providing cow cubicles and some ancillary smaller buildings. There is a steel portal frame building built to house the rotary milking parlour, cattle treatment and calving pens together with a dairy and office facility. There is a steel frame building with mono pitch roof built prior to 2000 and is used mainly for storing feed components used in the cows' diet. There is a recently erected steel portal frame building granted planning permission in respect of application 05/465 and this is intended to be used for storing dried cow dung. The applicants have a slurry separator system which extracts the solids from the slurry although is not currently operational. In addition to the buildings there are two uncovered grass silage stores and an earth bank slurry/dirty water lagoon.

Employment

There are currently in the region of 14 full-time employees. Most of the work requirement takes place at the farm buildings. These workers have specific tasks and it was apparent there is a dedicated team of eight workers which milk the cows as well as other parlour related duties and move cattle to and from the cubicle building as well as scrape-up dung from the cattle movement/loafing areas.

I was informed the members of staff who undertake the milking duties are foreign sourced labour (mainly Polish) and they live on the unit utilising the three mobile homes. The other employees except for the herdsman do not live on site and their tasks are concerned with management of the cattle also.

Existing Dwellings

There is one permanent dwelling located at Withgill Farm which I understand is occupied by the herdsman. Mr D Barnes lives at Bashall Town Farm which does not form part of the operational unit as far as keeping cattle. I have assessed Mr D Barnes' dwelling to be located approximately one mile from Withgill Farm.

Proposed Development

1. **Application Number 3/05/1011**
This application is proposing the erection of an agricultural workers dwelling. This will be a two storey building constructed with natural stone outer fascia and slate roof.

Director of Development Services

22 February 2006

The combined gross floor area of the dwelling will be 137.2m² and will provide three bedrooms and a bathroom on the first floor and a dining room, kitchen, lounge and study on the ground floor. The proposed site will be to the east side of the existing dwelling and I note a similar size domestic curtilage has been proposed.

2 Application Number 3/05/1079

This application is proposing to extend two of the four recently erected cattle house buildings and this part of the application relates to buildings identified as three and four on the "Existing Site Plan" submitted with this application. This will comprise of the erection of 12 additional 6.0m bays onto the existing 11 bay building. The centre bay effectively covers over the cattle passageway used by the dairy cows when they go to and from the cattle house building to the parlour building during milking. The design of the proposed building will copy the building which it will adjoin i.e. will have open sides between floor level and eaves height but the west facing elevation will be fully enclosed consisting of 1.8m high concrete walling and timber space boarding above. The roof will be clad using slate grey colour fibre/cement sheets to match the existing with natural roof lighting the proportions of which vary between the north and south facing pitches. The proportion will match the existing buildings. In order to provide space to extend the two buildings this will necessitate building over the site of the existing earth bunked slurry lagoon.

The second aspect to the proposed development is to reconstruct a new slurry lagoon built from earth sides which is proposed to be constructed on a green field site to the west side of the recently erected covered midden store. The dimension of the slurry store will be approximately 95m x 70m x 3.5m deep.

Assessment

a) Application Number 3/05/1011

I refer to the guidance contained in Annex A of PPS 7 when considering whether an agricultural justification exists for a further dwelling on the unit. Paragraph 3 of the Annex provides specific criteria which should be satisfied when considering applications for permanent dwellings. I refer below to the criteria referred to in paragraph 3.

New permanent dwellings should only be allowed to support existing agricultural activities on well established agricultural units, providing:

- (i) there is a clearly established *existing* functional need.**
- (ii) The need relates to a *full-time* worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;**

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- (iii) The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) other planning requirements, eg in relation to access, or impact on the countryside, are satisfied.

As there is an existing agricultural worker's dwelling on site I feel an assessment of whether a functional need exists for a further dwelling on the unit is the most important of the above criteria to be met. I feel it should not be overlooked that Mr D Barnes lives within approximately one mile of the farm and his dwelling is also relevant to take into consideration.

When assessing whether a functional need exists for one or more workers to live on site it is the scale as well as the nature of the enterprise concerned which I feel provides the basis to a functional test assessment. I feel following my inspection of the unit as well as from the discussions with Mr Barnes that whilst the applicant's dairy enterprise is a conventionally run operation its existing scale is unlike other comparable enterprises undertaken in the County. In fact, it was evident that the scale of the operation necessitates a personnel presence undertaking routine tasks for in the region of 15 to 20 hours each day. Whilst the operation is undoubtedly an agricultural operation I feel the way the operation is performed resembles that of a 'factory' run system. I was advised that whilst there is a regular presence of employees during most of the hours each day it is down to the herdsman to deal with operational issues such as calvings which may arise as well as unplanned incidents such as where cattle may require immediate medical treatment.

I feel the dairy enterprise does justify the onsite presence of an additional employee of the business to assist with the operational duties of the enterprise whether this be on a relief basis or in the capacity of an additional person. However whilst no reference is made to the existing mobile homes in the supporting information submitted with this application it was evident from my discussion with Mr Barnes and Mr Kinder that further additional on-site accommodation is planned to accommodate the foreign employees. If an application were made for the erection of a building to accommodate these workers, then it would be necessary to establish the basis as to how the application should be determined. I do not feel it would be appropriate to consider it as an agricultural worker's dwelling within the provisions of annex A. I feel if it were, then I do not consider the unit does justify four dwellings for the unit. I am aware that West Lancashire District Council has introduced a special planning policy to determine applications for accommodating foreign workers

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In this area where the type of farming is generally labour intensive, the use of foreign workers on these units is quite common and they tend to be employed on a seasonal basis usually up to 9 months each year but some operations are undertaken all year round.

With reference to other aspects of consideration concerning the proposed dwelling I note its size i.e. floor area is generally in accordance with the area stipulated in your Council's S.P.G. I was informed that proposed size has been based upon the existing agricultural worker's dwelling on the unit. I feel the proposed site relates well to the existing dwelling on the unit and as such, I feel this is appropriate

b) Application Number 3/05/1079

Guidance is provided in Annex E of PPG 7 (revised) when assessing applications with regard to proposed agricultural development. Although Annex E specifically relates to applications made in accordance with agricultural permitted development rights I feel the guidance also provides a useful basis for assessing full planning applications. Contained within the Annex are various conditions of development which ought to be satisfied for an agricultural justification to be established. I feel the most relevant conditions which can be applied to this application include the following:

- i) the development must be reasonably necessary for the purposes of agriculture within the unit;**
- ii) the buildings/development should be designed in accordance with its intended agricultural use; and**
- iii) siting.**

I feel whilst the application of Annex E to the proposals being put forward by this application is appropriate, I am aware that the wider planning policy issues will have the most significant bearing upon the determination of this application. I have noted the contents of the Environmental Statement which has been submitted with this application and understand that the scope of the issues addressed in the Statement have been made in accordance with pre-application discussions. I am aware a wide range of issues have been addressed and generally in a detailed and in-depth format. I feel the contents of issues addressed have applied technical expertise in certain areas and do not consider I am able to appraise some of the technical data provided. In view of this, I propose to limit my comments to the certain practical issues with regard to the implementation of the proposed development.

- 1. The proposed development is based upon an expansion of the dairy herd by a further 480 cows. It is evident that the size of the application buildings are the same as those previously approved and each have the capacity to accommodate 240 head of cattle. On this basis, I recognise the scale of the two proposed extensions are necessary to accommodate the headage of cattle proposed**

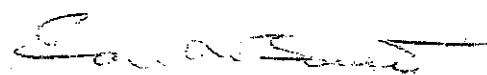
Director of Development Services

22 February 2006

2. The design of the two buildings are the same as the four existing buildings and as such, I feel those are appropriate
3. It is apparent that the sustainability of the dairy enterprise undertaken on this unit is not reliant upon land availability for grazing cattle or producing silage which I am aware from my discussions had been Mr Barnes' initial farm policy from the outset of the initial application 99/141. However, the change in circumstances has been Mr Barnes' decision to zero graze the dairy herd and feed the cattle on a range of bought-in feeds. Consequently, regular deliveries are made to the unit consisting of a range of products
4. The most significant restricting factors affecting the scale of this enterprise relate to the area of land available to the farm to be able to dispose of slurry/dirty water and the size capacity of the milking parlour. With reference to these, I note Mr Barnes has entered into agreements with local farmers for these farmers to provide land for him to spread slurry/dirty water produced by the dairy enterprise. It would appear from the information provided that he has sufficient land available to him for this purpose. It would also appear that the milking parlour has capacity to milk more cattle based upon a partly operated three times/day and two times/day milkings. I note from the information provided that the parlour has a capacity of approximately 220 cows/hour. On this basis, I feel there is capacity to milk the additional proposed numbers
5. I consider the most appropriate location to erect the additional cattle house buildings is to extend the two existing buildings as proposed. The reason being the location of these would be the most appropriate from a cattle movement perspective. As a consequence of this it will necessitate the re-siting of the slurry lagoon. I feel in principle, the siting of the proposed lagoon is appropriate. I do find it surprising that the capacity of the new lagoon is in the region of three times that of the existing in view of the fact that the expansion of the herd represents a 30% increase. I note the calculation referred to in the Environmental Statement to justify the size of this facility but feel this has overlooked the large undercover midden facility recently built to take solids extracted from the slurry. I feel on this basis that the proposed lagoon is likely to be over capacity for the scale of enterprise when comparing this to the requirements referred to in the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991. I recognise the advantage of having additional capacity means the ability to store slurry/dirty water for a longer period of time when it may not be appropriate to spread on the land

I would be obliged to receive a copy of your Decision Notice in due course

Yours faithfully



Land Agency Manager
On behalf of the Director of Property