

DCAdmin

From:
Sent: 24 June 2024 20:15
To: DCAdmin
Subject: Planning Objection - 2024/91484 - Erection of Poultry Shed, Bolster Moor Farm, Bolster Moor
Attachments: Planning Objection - 2024-91484 - Erection of Poultry Shed, Bolster Moor Farm.docx

Please find below my objection to planning application 2024/91484 - Erection of Poultry Shed at Bolster Moor Farm, 33 Bolster Moor Road, Bolster Moor.

For your convenience, I have also attached a copy of my objection in Microsoft Word format.

I wish for my comments to be published on the website anonymously.

Objection to Planning Application Number 2024/91484

I wish to strongly object to the above planning application for the erection of a poultry unit at Bolster Moor Farm, 33 Bolster Moor Road, Bolster Moor, for the following reasons.

Inaccuracies in the Planning Application

I would like to point out that there are inaccuracies in the planning application:

1. On page 5 it states that the site is not currently vacant. This is incorrect as the proposed site of the poultry unit is currently vacant – it is open pastureland – in a designated Green Belt area.
2. On page 8 it states that the proposed unit will not be near a watercourse. This is incorrect. There is a watercourse less than 10m downhill from the proposed site.
3. Page 11 states the proposed site is not visible from a public road. This is incorrect as it can be seen from numerous public roads in the area - Drummer Lane, Bolster Moor Road, Meeting House Lane amongst others.
4. Page 11 states that the proposal does not involve the carrying out of commercial activities – yet it would be producing circa 450,000 eggs per year.
5. The Location Plan includes land not owned by Bolster Moor Farm.
6. The Proposed Site/Block Layout diagram, whether by accident or design, omits the presence of four residential properties closer than the property at 10 Bolster Grove which is shown as the closest property.

Proposed Location of the Poultry Unit

Bolster Moor is designated as Green Belt.

Policy LP54 of the Kirklees Local Plan states that “proposals for new buildings for agriculture and forestry will normally be acceptable, provided that there will be no detriment to the amenity of nearby residents by

reason of noise or odour or any other reason.” Residential amenity impact relates to the development’s effect upon a neighbour’s outlook, privacy, sunlight/daylight and any noise and disruption likely to arise directly or indirectly as a result of the development.

The applicant has made a deliberate choice to locate this intrusive development in a position where it is obvious it will have maximum impact on his neighbours, whilst having no impact on him. The Proposed Site/Block Layout diagram seems to have been cleverly drawn to make it appear that the nearest house (other than that of the applicant) is No 10 Bolster Grove. There are actually four other residences that are closer to the proposed unit than No 10 Bolster Grove. In fact, the closest residence is 23/25 Bolster Moor Road, less than 15m downwind from the proposed unit.

Due to the direction of the prevailing wind, residents in this nearest property would be the closest downwind “sensitive receptors” as defined by the Environment Agency (“EA”). A document published by the EA regarding dust control measures in poultry farms states that if “the sensitive receptor is downwind of the poultry sheds then it is likely to experience a greater frequency of higher particulate concentrations than if the sensitive receptor was the same distance away but upwind of them.” Studies show a significant increase in risk to health from living too close to poultry units. The evidence that components of poultry dust are a respiratory hazard and are harmful to health is so strong that poultry dust is listed in Control of Substances Hazardous to Health (COSHH) regulations. Chicken excrement derived ammonia is a key air pollutant combining with other pollutants creating “particulate matter” and is linked to higher death rates, respiratory problems and cardiovascular diseases. The Code of Good Agricultural Practice (COGAP) for Reducing Ammonia Emissions produced by DEFRA in January 2024, states “where possible, ammonia sources should be positioned as far as possible from sensitive receptors like people and protected habitats.”

There are 26 properties within 130m of the poultry unit – all downwind. Two of these properties are “heritage assets” – Grade II listed buildings (Ref: Historic England). There is no evidence of the applicant carrying out an Environmental Impact Assessment (SCAIL) with regards to the two heritage assets. A children’s nursery is within 160m of the proposal. Many of the local residents are at home most of the day and would experience unacceptable levels of pollution and smell from the proposed poultry unit all day, every day.

There is no mention in the application of the steps that will be taken to minimise PM10/PM2.5 emissions from the unit as per the EA’s recommendations. Of course, all the gaseous/particulate emissions mentioned so far will be most obvious to residents as noxious smells which they will experience 24 hours a day given the normal wind direction. Local residents regularly have street parties, which would be 37m away from the proposed unit. The noxious smells and dust emitted from this proposed unit would have the effect of stopping this long-standing tradition dead. Local residents enjoy their gardens, regularly sitting out to enjoy their surroundings, again the emissions and noise generated by this proposed unit would stop this tradition dead, too. It is well documented that odorous compounds generated from poultry units are a potential nuisance to the environment and public health. Lingering and long-term noxious odours have also been shown to affect the mental health of people subjected to them. These noxious odours will get worse and worse as I believe poultry houses are only cleaned out at the end of each production cycle – which could be as long as two years (Ref: RSPCA). The same can be said for the particulate pollution that will get worse and worse over the same cycle.

Policies LP51 and LP52 of the Kirklees Local Plan discuss potential pollution from new developments, with Policy LP52 stating that “where possible, all new development should improve the existing environment”. Paragraph 18.4 of the Kirklees Local Plan states that “long term exposure to air pollution can lead to more serious symptoms and conditions affecting human health”.

Watercourses

Bolster Moor is in an area of high risk to groundwater contamination (Ref: DEFRA “MAGIC” map). On the application form the applicant has stated the proposal will not be within 20m of a watercourse. This is incorrect as the proposed unit would be less than 10m uphill from an existing land drain. The applicant is well aware of the existence of this land drain as he regularly walks past one of the numerous places where the drain comes to the surface in the field immediately to the west of the proposed site. The land drain is also clearly shown on the Land Registry Title Plan for the applicant’s property. The land drain runs the length of Bolster Moor, through Headwall Green, down to Dyke End where it splits in two and provides drinking water to animals on farmland and will continue draining down into Colne Valley and ultimately the River Colne. There is also standing water nearby in the form of a pond in the garden of the closest residential property.

There is no mention in the application as to how any floor will be constructed. This leads me to believe that no artificial floor will be put in, instead the unit will sit directly on the soil. This will mean that pollutants from the chicken excrement will leach into the soil and will be washed down the slope and into the groundwater and land drain, particularly during deep cleaning at the end of a production cycle when any pollutants will be jet washed into the ground. This land drain already struggles to contain water during periods of heavy rainfall, causing localised flooding across residents’ properties and affecting a garden pond. This additional runoff will simply add to the existing and frequent effluent runoff from the applicant’s property already affecting residents. Any pollutants entering this watercourse will have an adverse effect on numerous wildlife, and will obviously affect the quality of the drinking water for animals on farmland.

Noise

The 1,500 hens will generate constant noise – clucking, scratching, squawking when egg laying. Hens are also known to crow. There is also the possibility that there will be a number of cockerels included in the unit as the presence of males in a layer breeder stock helps to reduce stress and fear responses in the hens. There is no mention of machinery in the application – how is the unit going to be serviced (egg collection, cleaning and packing, mucking out, etc) if not with mechanical methods, given that the application states there will be no employees to carry out these functions? Any noise will be a large intrusion into the lives of local residents who have the right to the peaceful enjoyment of their property. Additional traffic through the village will also have an impact on noise levels.

Biosecurity

As detailed in the DEFRA Code of Practice for the Welfare of Laying Hens and Pullets, the biosecurity measures for anyone keeping captive birds appear to be quite onerous, yet there is no mention of any biosecurity measures in the application. The applicant already keeps racing pigeons in a pigeon loft less than 20m from the proposed site, which he races all over the country and abroad. The applicant also keeps a handful of free range poultry in a hut close to the proposed site. There must be a high risk of disease transmission here. During the recent avian flu outbreak (2021-2022) the applicant ignored DEFRA housing orders and allowed his poultry to continue to roam outdoors. We live in a time of accelerating crossovers of viruses between animals and humans – as evidenced by the recent Covid pandemic. There are lots of wild birds in the area – including goosanders, herons, corvids and raptors.

The application does not show a double door entry system with a separate chamber to isolate the poultry from the outside world. Where will the applicant place the foot dip and his items of clothing to wear when dealing with the poultry? How will the applicant prevent 1,500 hens from escaping from the unit whenever the “12 foot steel sliding door” is opened? There are no details in the application concerning these points. The application is for barn hens, which by definition are kept inside. Residents already have problems with the applicant’s current hens escaping from his property and wandering round the area, defecating on pavements and destroying garden plants. Even during this consultation period the applicant’s hens have, once again, escaped and damaged gardens.

Over the production cycle of the hens, there are bound to be deaths. The application makes no mention of the quarantining of replacement birds and no mention of where this would happen. The plan shows a single space shed.

Waste Products

Waste materials such as poultry litter and manure can pose a serious threat to environmental and human health, and need to be managed properly. The application states there are no identified areas to store and aid the collection of waste. The applicant has been seen, on a number of occasions, disposing of his dead pigeons in the corner of his neighbour's field. It is to be hoped this practice would not be repeated with dead hens.

The application makes no mention of how spent hens will be dealt with at the end of the production cycle (Ref: Government guidelines on fallen stock).

There is no manure management plan in the application. Residents already have a problem with effluent runoff from this property – flooding the double garage belonging to 19A Bolster Moor Road and then flowing down the lane past the kitchen doorways of numbers 3-19A Bolster Moor Road.

The EA Factsheet on the Storage and Spreading of Poultry Manure states, amongst other rules, that manure should not be stored on the same site for more than 12 consecutive months, followed by a break of two years. The “muck midden” on the application, including the small triangular piece of land directly behind the double garage belonging to 19A Bolster Moor Road, has been in constant use for the storage of manure for over 15 years (pigeon/poultry/dog/horse excrement, sawdust, grass cuttings, straw bedding). For many years the applicant has been requested by his neighbours to clean up the “muck midden” area as it is causing effluent runoff problems as detailed above, and he has always failed to do so. Looking at the application, it seems that the applicant is planning to continue to use this area as a “muck midden” for the waste generated by the poultry unit.

EA rules must surely be adhered to, therefore the “muck midden” shown on the proposal, including the land behind the double garage, must be considered to be out of bounds for manure storage for at least the next two years. The applicant will, therefore, need to store the manure in a different site that is not mentioned in the application, in an area where it will not generate odour and dust nuisance or effluent runoff for neighbours and more than 10m away from both the land drain and pond.

UN FAO advise the moisture content of chicken manure has to be reduced to the correct levels prior to spreading on land. The application makes no mention of how this will be achieved. Whilst this drying is happening, the prevailing wind direction would mean that local residents will never get relief from breathing in chicken manure dust and gases, including corrosive ammonia – an obvious health risk.

Residents already have problems with rats and flies due to the applicant's hobby of bird keeping and bad manure management. An additional 1,500 hens with their associated mess would only exacerbate these issues – especially as it is well known that rats like to eat chicken manure.

The applicant very frequently has bonfires where he burns, amongst other things, trade waste from his business and waste generated by his bird keeping and dog breeding hobbies. The poultry unit has the potential to generate much more waste, and the applicant's current behaviour regarding waste disposal leads me to believe he would burn this waste on site also. These bonfires are positioned on the “muck midden” less than 6m upwind from residential properties and cause periods of prolonged odour and smoke nuisance to his neighbours. Barking dogs, incorrect storage of asbestos sheeting, effluent runoff from the manure heap flowing past residents' kitchen doorways are examples of other nuisances wilfully caused by the applicant. He has continually ignored requests, both from residents and Kirklees Council, to improve his

behaviour regarding these problems and his behaviour continues to be a nuisance. Granting him permission to erect a poultry unit to house 1,500 hens, with all its potential associated problems, would only serve to add to his list of statutory nuisance misdemeanours.

Is the Building Genuinely Required for the Purposes of Agriculture?

Paragraph 19.10 of the Kirklees Local Plan states that new agricultural buildings must be "...genuinely required in connection with an agricultural [...] enterprise and that the need can be demonstrated. This will depend on the extent and type of the holding in question and will be unlikely to apply to hobby farms, usually defined as those where the enterprise is not the applicant's main, principal or full time occupation or business."

The proposal site is at Bolster Moor Farm. The land outlined in blue on the Location Plan includes land NOT owned by Bolster Moor Farm. The applicant living at Bolster Moor Farm seems to derive his income from handyman activities/double glazing installation, not agriculture. He can therefore be considered to be a "hobby farmer". The application states that the proposal does not involve the carrying out of commercial activities. This, together with the fact that he owns much less farmland than he states, combined with the "hobby farmer" nature of this applicant indicates that a genuine agricultural need cannot be demonstrated.

Paragraph 19.12 of the Kirklees Local Plan states "wherever possible and in accordance with core planning principles the reuse of existing buildings will be preferable to the erection of new ones." The applicant has access to land owned by his wider family that already contains numerous poultry houses (Ref: Kirklees Council mapping resource). Surely a better plan would be to reuse these poultry houses?

The application states there will be no people employed in this unit. The applicant appears to have a job (Haigh Home Improvements), so it is difficult to see how he is going to have time to correctly comply with the onerous Government/DEFRA/HSE/EA regulations imposed upon poultry keepers.

Impact on Highway Safety

The poultry will require approximately 1.1 tonnes of feed per week (Ref: BHWT), which will generate additional traffic through the village. The entrance to the proposal site, detailed on the application, is a narrow farm gate into a field on a narrow rural lane that doesn't contain pavements. Residents, including children from the local Children's Nursery, and other members of the public regularly walk along this road. I believe there would be an unacceptable impact on highway safety due to the increase in goods vehicles deliveries and collections at this location. The huge increase in traffic in recent years on the local road network would be further exacerbated by these regular deliveries and collections. Regular deliveries and collections will require vehicles turning into and out of Bolster Moor Road at the junction of Drummer Lane. This junction has restricted sight lines.

Storage

There is nothing in the application about the storage of dead birds awaiting disposal, bird feed, bedding, poultry maintenance products, cleaning products, eggs, egg packaging, etc. The birds already kept by the applicant have generated an increase in the local rat and fly populations. Additional poultry would only add to this problem causing even more of a statutory nuisance. Rats are known to eat chicken manure, bird feed and hen eggs.

Summary

In summary, I strongly object to this planning application and believe that it should be rejected on many grounds, including, but not limited to, errors and omissions in the submitted application documents, proximity to residential properties (including heritage assets), proximity to a watercourse, potential watercourse pollution, odour, noise, the applicant's long-standing history of causing nuisance to his neighbours and lack of biosecurity.

Bolster Moor is designated as Green Belt. The Kirklees Local Plan, paragraph 19.7, states “inappropriate development is by definition harmful to the Green Belt and should not be approved unless very special circumstances exist that would outweigh the harm so caused.” It is clear that there are no special circumstances that exist which would outweigh the harm caused by this poultry unit.