

DCAdmin

From:
Sent: 02 July 2024 12:16
To: DCAdmin
Subject: Planning application objections - Application number 2024/91484

Importance:

I strongly object to this application on the following grounds:

The application contains a number of inaccuracies/omissions:

1. The block diagram seems to have been drawn so as to deliberately omit the existence of the nearest residential dwellings/protected buildings.
2. The application claims there are NO water courses within 20m of the proposed site. There is a land drain within 4metres of the downhill side of the proposed building. The applicant regularly walks past clear evidence of this water course and would be well aware of its existence. This land drain runs the length of Bolster Moor into Headwall Green and then down the side of Colne Valley splitting into two at Dyke End. The water from this land drain surfaces at intervals for the watering of livestock on other holdings. Consideration must be given to the contamination of this water resource when it is consumed by other livestock.
3. The application claims there are no trees on adjacent land. There is a large mature tree 10metres NE of the proposed development.
4. The application claims that the waste from this poultry unit will be spread on fields but claims there will be no storage of this waste. DEFRA/EA codes of practice suggest restrictions on muck spreading (time/quantities/weather etc), so the applicant will need to store his poultry excrement/bedding mix. A muck midden is shown on the block diagram, suggesting the applicant *does* intend storing waste from this development. This has been used by the applicant as a general muck dump (hen, pigeon, dog, horse excrement as well as filthy straw bedding) for well over a decade. DEFRA regulations pertaining to storage of poultry excrement should preclude this area's use for a significant length of time. In the meantime the application makes no mention of where manure will be stored within the regulations. Poultry manure should not be spread until its water content has reduced, again this will require storage and yet there's no mention of storage in the application. Figures vary, but an average value for a laying hen's production of excrement is 100grams/day. Multiplied up this is ~55tonnes/year. The "muck midden" shown in the plan is no more than 7metres from neighbouring residential properties. It is wholly unacceptable to store poultry manure this close to houses, let alone tonnes of the stuff. There is already a local problem with flies and rats caused by the applicant's casual approach to manure management. Adding 1500 laying hens to his bird keeping hobby will exacerbate this - it's definitely not commercial!
5. The applicant's property is listed as 33 Bolster Moor Road. The application shows far more land associated with this property than is shown on the Land Registry title plan for this property. The applicant seems to be attempting to make out that his property is more of an agricultural concern than it actually is.
6. The applicant states that the proposed site is not vacant. The site is grassland used for grazing and mowing, so there is nothing that needs demolishing to make way for the proposed poultry house; the site is, therefore, vacant.

7. The application states how the unit will be constructed but there are no details of what material will be used for the floor. Will this simply be left as soil or will it be an impermeable material such as concrete. the previously mentioned "mistake" concerning the adjacent water course makes the floor construction important, as a soil floor will allow excrement and other pollutants including cleaning materials to soak into the soil and immediately and directly into the land drain at high concentrations.
8. The application states that the method of construction will be "timber space boarding". The included construction diagram reinforces the impression that there will be gaps between the planks comprising the walls which will allow the wind to blow through. Bolster Moor is notoriously windy. Residents will be constantly in the path of all the dust, smell and other pollutants that will be blown out of this shed on the prevailing south westerly (SW) wind, directly over their properties. Many of the nearest properties are of older stone construction with open eaves which will allow the easy ingress of windborn dust from this poultry unit, increasing the level of particulate contaminants that will be inhaled by residents to the detriment of their respiratory health.
9. The application states that this is NOT a commercial activity. 1500 hens have the potential to generate an output of approximately 450,000 eggs per year (ref: BHWT). How else will the applicant dispose of this quantity of eggs other than as a regular supplier to a commercial enterprise? Perhaps if he were selling them at the field gate he could get away with claiming no commercial activity, but this would require the retailing of over 200 boxes of eggs every day, 365 days a year. The traffic this would generate in Drummer Lane would be unacceptable - this claim is risible. As this is obviously a commercial enterprise, shouldn't the application make clear where the eggs are to be washed and packed and give details of how they are to be stored and transported away from the property? This information is missing.
10. The application states that no people will be employed in connection with the proposed poultry unit. The inference is that the applicant will be carrying out all the work required to run a medium sized poultry shed himself. Every day of the year? Feeding, receiving deliveries to the unit, biosecurity responsibilities, egg collecting, egg cleaning, egg packing, egg deliveries; all whilst carrying on his main employment

Perhaps this is another error and there *will* be employees; in which case the application makes no mention of staff changing facilities, washing or toilet arrangements.

Proximity to third party residential properties

The close proximity of this proposed poultry shed to nearby residential buildings is completely unacceptable. Contrary to what the large scale diagram in the application shows, the closest house to the proposed site is NOT number 10 Bolster Grove (45 metres away), but number 25 Bolster Moor Road which is less than 15 metres away. It would be natural to speculate that this omission was deliberate. There are a further three residential properties that are closer than 10 Bolster Grove. The applicant seems to be attempting to hide facts to his own advantage - the diagram could easily have shown these adjacent properties. The UK rules for Permitted Development (PD) on agricultural holdings specifically exclude livestock (including poultry) buildings unless they are at least 400metres from residential properties, requiring specific planning permission be granted. This 400 metre restriction must have been included in the PD rules for a specific purpose - namely that this type of building has the real potential to cause problems for neighbours of agricultural holdings including health problems, noise and odour nuisance, foul water runoff and general friction between neighbours and the agricultural entity. This application seems to have been drawn up to specifically cause as much irritation and nuisance for the applicant's neighbours as possible. The applicant has made sure that he will not be affected by any of the pollution or smells that will result from this development by locating it well away from his own residence and as close as possible to those of his neighbours.

A local early years nursery is located less than 250metres due east of the proposed site and will be susceptible to pollutants and noxious odours when the wind is from the west as it frequently is.

Cleaning

The application does not state how the fluids used to clean/sterilise the unit at the end of each production cycle will be collected and disposed of. Even biodegradable disinfectants degrade to create significant quantities of CO2. This does not fit with the council's net zero ambitions. The application does not mention anything about cleaning and mitigating chemical runoff when the shed is deep cleaned at the end of each production cycle.

Biosecurity

The application seems to be missing any details about the type of biosecurity measures required by Govt/DEFRA of poultry unit operators. In the event of an outbreak of avian flu, the design of the poultry shed seems to be wholly inadequate should a housing order be suddenly put in place. The shed is to be a single space with a large "12' steel sliding door" and, as such, it seems there are no means to prevent birds escaping whenever the door is opened. Similarly, there are no measures, such as a separate vestibule, to allow biosecurity separation, such as clothing changes and foot washing, between outside and inside. The applicant keeps a large flock of pigeons which he races from locations countrywide and beyond. The pigeon "loft" to which these pigeons return, having mixed with assorted wildlife on their journeys, is located in a building a mere 15metres from the proposed location of the poultry unit. Disease crossover, in these times of heightened inter-species disease risk, must surely be taken more seriously than this application seems to.

Roads

The roads in Bolster Moor have seen a huge increase in traffic levels in recent years and this proposal will simply add to this - the road infrastructure is already crumbling badly. The application shows that entry/egress will be via an existing narrow field gate from Drummer Lane, adjacent to the field in which the proposed development is to be located. Drummer Lane is a quiet (so far), narrow country lane without pavements. It is used by local residents and the wider public as a walking route and also by the local nursery and school for outdoor activity. This unit will require regular deliveries of bulk feedstuff and collection of spent hens, carcasses, manure and general poultry keeping refuse. To put this in context, the average laying hen requires ~120g of feed per day; therefore this unit will get through approximately 1.2 tonnes of feed per week not to mention all the other supplies a successful poultry unit requires. The only viable route away from the site, suitable for large goods vehicles, is via the junction of Drummer Lane and Bolster Moor Road. This junction has less than ideal sight lines given the number of vehicles often parked on Bolster Moor Road and the heavy traffic from the local farm shop. The application makes no mention of how problems caused by increased levels of large vehicle movements will be mitigated. The proposed access seems to be across grassland to the site of the poultry shed. This will be completely unsuitable for delivery vehicles in anything but the driest weather. Consideration should be given by the planning authority to whether the applicant will make a subsequent request, pleading "necessity", for the building of roadways, parking areas and turning facilities for this traffic in what are currently grass fields in the green belt. It should also be noted that the applicant has previous form for building new roadways across fields on his property where no real need was, or yet is, apparent.

Nature of the property and property owner

As has been mentioned, the applicant has vastly overstated his land holding, including some of the land owned by a neighbouring property (Harden Road Farm). Whether he has the permission of the other land owner to include this land as his own, or not, the applicant seems to be attempting to inflate the scale of his "enterprise".

, when this is added to the small amount of land comprising 33 Bolster Moor Road, seems to place the applicant firmly in the category of "hobby" farmer as defined in several government documents as well as Kirklees Council's own Local Plan document. It is difficult, therefore, to see how the applicant can argue that there is any agricultural need for this new building, in line with Para 19.10 of the Kirklees Local Plan. The applicant seems to have cherry picked land from Harden Road Farm (owned by his wider family) to make his property appear larger than it is, but seems to have avoided including land that already has poultry houses on it, thus neatly circumventing Paragraph 19.12 of the Local Plan which suggests that whenever possible, reuse of existing buildings is preferred.

The general tone of section 19 of the Local Plan indicates that planning permission for a building of this nature will not be granted unless a genuine agricultural need can be clearly demonstrated. The size of the property, nature of the applicant's "main, principal or full time occupation or business" and general "hobby" nature of this development (claimed to be not a commercial activity) must, if the Local Plan holds any weight, make this development fall far short of the requirements of "agricultural need" and result in permission being denied.

The applicant has a long history of frequent bonfires on which he burns a variety of substances such as straw bedding from his barn and dog kennels, plastic packaging and other business waste and, quite recently, the larger parts of what appeared to be a plastic lawn mower, generating thick plumes of acrid smoke. He has been approached several times by local residents and asked to desist in this behaviour and has also been contacted by Kirklees Council's Environmental Health team on more than one occasion to make him aware of his responsibilities. He has ignored all these approaches and the bonfires have continued, making residents' enjoyment of their outside space difficult and the drying of laundry outdoors a lottery. It would not surprise his neighbours if he started burning all the waste generated by this poultry unit if the application was approved.

The applicant has maintained a "muck heap" on the area marked on the application as "Muck Midden" for many years. This has caused effluent runoff from the applicant's property whenever there is prolonged heavy rain. This runoff firstly floods the top garage of the row of garages behind nos 3-19A Bolster Moor Road. It then flows down the lane behind the same properties, forcing those residents to step over this stream of effluent to enter and exit their properties. The stream finally flows into the road drains on Bolster Moor Road. This is a disgustingly unhealthy state of affairs which has only happened since the applicant started to store rubbish/scrap/asbestos sheet/excrement on this piece of land - shortly after he purchased the property. Again he has been asked to prevent this runoff, but has made no attempt to do so.

Giving the applicant permission to store even more excrement on this piece of land ("muck midden" on plan) will not only create an even larger nuisance and health hazard but will also contravene DEFRA's rules for keeping poultry manure on already manure-contaminated ground.

Pollution

Poultry units, whether for breeding or laying hens are well known for producing pollution, whether from day to day operation or the deep cleaning required at the end of each production cycle. Poultry dust from feathers, bedding and drying manure has been shown to cause and/or exacerbate respiratory health conditions. High levels of ammonia from poultry excrement combine with other aerosols to create particulate matter (PM10/PM2.5) which are well known as dangers to human health.

1500 laying hens will create a significant amount of both background and foreground noise: scratching, clucking, squawking and crowing mere metres from residential properties.

Policy LP54 of the Local Plan states that, (if all other considerations are met), new buildings will be accepted "...provided that: c. there will be no detriment to the amenity of nearby residents by reason of noise or odour or any other reason..."

Health

Poultry units are renowned for producing obnoxious odours. This poultry unit will be upwind (SW) of the majority of the residences in Bolster Moor and, as such, the odours will be apparent to most residents for much of the time. This is bound to have an effect on residents' mental health as there will be no escape from the smell. It is known that ammonia, a key constituent in the foul odour, can be detected by humans at a level of 20 parts per million (ppm) but it can cause/exacerbate respiratory diseases at levels as low as 5ppm; so, when residents can smell this poultry unit (most of the time), it will already be risking their long term health.

Listed Buildings

It should be noted that two of the properties within 75metres of the proposed poultry shed are heritage assets (Grade II), which require special consideration where the possibility of contamination with damaging substances is concerned (corrosive ammonia dust).