01/00632/FUL

# sl@y Council PLANNING APPLICATION FOLDER

| DATE VALID: | 8 WEEK DATE: | WARD | PARISH | OFFICER | RECEPTION |
|---|---|---|---|---|---|
| 14 11 01 | 8.1 02 | Northwood | — | LO | ✓ |

| | |
|---|---|
| APPLICANT | Mr A Gielty |
| LOCATION OF DEVELOPMENT | Sandy Lane Farm, Cut Lane, Knowsley Industrial Park Knowsley |
| PROPOSED DEVELOPMENT | Erection of 1no livestock building, 8no polytunnels & caravan for temporary residence |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| PART I | ✓ | PLANNING | | | MAP REGISTER | | |
| PART II | ✓ | HISTORY | | | GRID REFERENCE | | |
| DOE STATISTICS | ✓ | | | | MAP REG. NO. | | |

## TECHNICAL CONSULTATIONS

| CONSULTEE | √ | CODE | SENT | RECONSULTED | CONSULTEE | √ | CODE | SENT | RECONSULTED |
|---|---|---|---|---|---|---|---|---|---|
| [illegible]st. & Env. Strategy | | ISES | | | Env. Agency (Poll) | | HIQP | " " | |
| [illegible]siness Resource | | IBRC | | | NW GAS | ✓ | GAS | 10-12-01 | |
| Economic Regen Unit | | IERU | | | MANWEB | ✓ | MAN | 10-12-01 | |
| [illegible]ducation | | IEDU | | | NWWA | ✓ | NWW | 10-12-01 | |
| Design Consultancy | | IDC | | | Health & Safety Exec | | HSE | | |
| Environmental Health | ✓ | IENV | 10-12-01 | | Liverpool Museum | | LM | | |
| Estates | | IEST | | | Merseyside Fire | | MFB | | |
| Highway Authority | ✓ | IHIH | 10-12-01 | | Forward Planning | | IFP | | |
| [illegible]ite Development | | ISDT | | | Merseyside Police | | MP | | |
| [illegible]ousing | | IHSG | | | 6 Societies | | | | |
| Leisure | | ILEI | | | Conservation Officer | | ICO | | |
| Licensing | | ILIT | | | ~~Halton D.C~~ | | | | |
| Social Services | | ISOS | | | Wilmcs DC | ✓ | | 10-12-01 | |
| The Coal Authority | ✓ | BC | 10-12-01 | | Nat. Grid | ✓ | | 10-12-01 | |
| [illegible]ack | | BRPB | | | [illegible] | | | | |
| [illegible]S | ✓ | CAS | 10-12-01 | | | | | | |
| [illegible]nv. Agancy (Rivers) | ✓ | NRA1 | 10-12-01 | | Weekly List | ✓ | | 15.11.01 | |
| [illegible]nv. Agency (Waste) | ✓ | MWD | " " | | Parish List | | | | |

## PUBLICITY

| IN ACCORD | ✓ | NOT IN ACCORD | | LIST BLDG/ CONS AREA | | EIA | | PUBLIC R.O.W | |
|---|---|---|---|---|---|---|---|---|---|

## NEIGHBOUR LETTERS

| DATE SENT: | 10-12-01 | LAST RESPONSE DATE: | 31-12-01 | RECONSULTED: | | LAST RESPONSE DATE: | |
|---|---|---|---|---|---|---|---|

New Cut Farm ✓ } New Cut Lane
New Cut House } Sandy Brow Farm, Cherry Tree Cottage, } Sandy Brow
~~New Cut~~ Sandy Brow Cottage, } Lane
The Barn (Sandy Brow Farm) }
Sandy Lane Farm ✓ } Halfthorn Cottage — Cut
Cottages ~~Kennels~~ 1-4 (inc) ✓ The Cottage ✓ } Cut Lane 18.6.02
Moss Cottages, Cooper Moss Farm ✓ }
Gores Farm ✓ } Coopers Farm - Mollyshute

## NOTICES

SS 10.12.01

| SITE | √ | PRESS | √ |
|---|---|---|---|
| | ✓ | | ✓ |
| | | | |

**APPLICATION NO:**

01/00632/FUL

| Document Issue No. | Document Issue Date |
|---|---|
| 003 | 12/05/99 |

| KEY POLICIES | COMMENTS |
|---|---|
| 1. | |
| 2. | |
| 3. | |
| 4. | |
| 5. | |
| 6. | |

| CAR PARKING | | |
|---|---|---|
| PROVISION | REQUIREMENT | REMARKS/ACTION |
| | | |

| SITE OBSERVATIONS, MEETINGS etc. |
|---|
| Only ice cream allowed admin 10/12/07 |

| SITE VISIT:- | DATE: | INITIALS: |
|---|---|---|
| Cleared by Section Head as Delegated/Committee | | |

Cond. 8.

Environmental Advisory Service, Bryant House
Liverpool Road North, Maghull, Merseyside
L31 2PA. Tel: 0151-934-Extn:

| | |
|---|---|
| Alan Jemmett, PhD, MBA, Manager | 4950 |
| Contaminated Land Specialists | 4956 |
| Ecologist | 4954 |
| Environmental Scientist | 4953 |
| Forester/Woodland Ecologist | 4952 |
| General Enquiries | 4951 |
| Fax | 4955 |
| E-mail: eas@sefton.u-net.com | |


1567
27 MAY 2004

| | |
|---|---|
| Passed to | SS |
| Ack | |
| | ML |

Environmental Advisory Service

# MEMO

Your Ref PS/DC/SS01/00632/FUL
File Ref Kn01/048
W/P Ref Pcla/myd/kn/kn01048a
Date 24th May 2004

TO: Sylvia Smith
Development Control
Knowsley Council.

FROM: Lucy Atkinson 4.6.04. Copy of letter sent to appl

**Proposed Erection of 1 No. Livestock Building, 8 No. Polytunnels and Caravan for Temporary Residence at Sandy Lane Farm, Cut Lane, Knowsley**

Thank you for consulting EAS on the additional information (dated 10th May 2004) provided by the applicant for the above proposed development. We make the following comments.

1. We would not have anticipated that the farmer would employ a contractor to remove the topsoil, given that he would have the necessary equipment for the job available for his daily operations. Therefore, this element of the letter addresses planning condition 8.

2. Our main concerns were with respect to the proper storage of the topsoil in order to prevent soil loss and minimise damage to the soil structure during storage. We were also concerned that the soil resource should be beneficially used elsewhere on the farmland. The applicant gives no indication in their letter as to how the soil is stored, and hints that the soil will remain stockpiled until the Council agrees it can be used for filling holes to improve the quality of the field.

3. Given that it appears that soil stripping and stockpiling has already taken place, we wou advise that as long as the topsoil is stored in a separate mound from other soils and d not exceed 3 metres in height, and is shaped to avoid collection of water in surface undulations then this should be satisfactory to address planning condition 8.

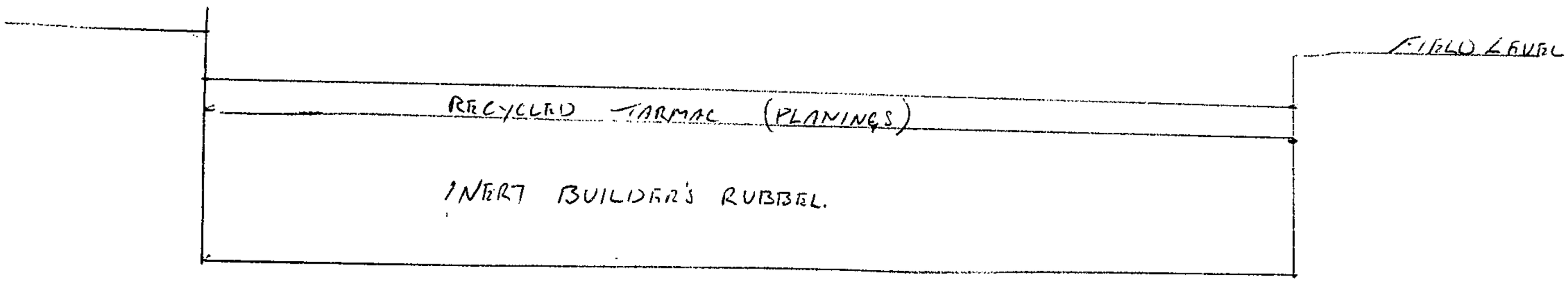
4. The applicant needs to inform the Council where the topsoil will be used and for wh purposes. The applicant states that it will be used to fill in various holes and impro quality of the field. A plan should be submitted showing the location of the storag mound, and the fields/areas of field in which he intends to spread it. The applican should also notify the Council whether the soil is being to fill in holes, if so givin indication of dimensions and number, or whether it is being generally spread to r quality, if so to what thickness. Once this information is provided by the applica would be pleased to comment further.

We would be pleased to comment further on any point at your request.

Lucy

(AS REQUESTED BY S.I. INSPECTOR.) SCALE 1-200.?
DRAWN @ 1-20

01/00632/FUL
Recd 12.5.04
Cond 3.




RUBBEL BASE THICKNESS TO SUPPORT MODERN HEAVY LORRY
RECYCLED TARMAC TO GIVE SMOOTH SURFACE WITH OPEN
TEXTURE TO ALLOW RAINWATER TO PERMIATE AND SOAKAWAY
NATURALLY. THE DARK COULOR OF THIS MATERIAL IS SIMILAR
TO THE TOP-SOIL AND BLENDIN TO THE LANDSCAPE

DRAWN BY A RIGLEY

Cond 3.

# MEMORANDUM

**To:** Sylvia Smith, DRD PS

**Your Ref:** PS/DC/SS/01/00632/ful

**From:** Mike Taylor, DRD PT

**Our Ref:** PT/TM/MT

**Date:** 22.6.04

**RE:** ERECTION OF 1NO LIVESTOCK BUILDING, POLYTUNNELS & CARAVAN – SANDY LANE FARM, CUT LANE, KNOWSLEY

**Telephone 443 2233**

Thank you for your memorandum of 20th May 2004 concerning the above.

The proposed access is acceptable to the Highway Authority.

If you require any further information please do not hesitate to contact me.

M. Taylor

1826
27 JUN 2004
SS
Passed to
Ack
NKK

Mr J Ferguson
43 Ruskin Way
Huyton-Roby
Liverpool
L36 5UJ

Our Ref: PS/SS/01/00632/FUL

Date 6 July 2006

Dear Mr Ferguson

**TOWN AND COUNTRY PLANNING ACT 1990**
**APPLICATION NO: 01/00632/FUL**
**ERECTION OF 1 NO. LIVESTOCK BUILDING, 8 NO. POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**
**SANDY LANE FARM, CUT LANE, KNOWSLEY**

With reference to your letter dated 28 June 2006 regarding the discharge of conditions on the above planning approval.

Conditions 1, 5, 6, 9 and 11.

These conditions do not require formal discharge however they should be noted.

Condition 2

Provided the Eternit P6 cladding in natural grey colour is used on the livestock building condition 2 is formally discharged.

Condition 3

Please confirm details of the hardstanding construction. and indicate position of hardstanding on a plan of a scale 1:200 (see letter from Lee Osborne dated 10 March 2006) I have enclosed details submitted earlier for your information.

Condition 4

The planting of 100 no. fruit trees of 12 cm girth and 3.3 metre spacing in double staggered rows is considered acceptable and provided the landscaping is carried out in accordance with the details submitted condition 4 is formally discharged.

**Head of Planning Services Jill Wilson BA MRTPI**
**P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB**
**Tel 0151 443 2303 Minicom 0151 443 3401 Fax 0151 443 2370**
**E-mail: planning.DPD@Knowsley.gov.uk**

Condition 7

The Environment Agency and the Environmental Health Department of the Council have been consulted with the details of the sewage disposal.

Condition 8

The Environmental Advisory Service has already been consulted regarding this site and a copy of their letter is attached.

Your comments regarding condition 8 have been noted. Details of the location of any soil to be moved to the field should be submitted toand approved by the Local Planning Authority. However, it is noted that other works were carried out prior to the purchase of the land by you and therefore you will not have access to certain information to discharge this condition.

Condition 10

The Arboricultural Officer will revisit the site regarding the tree protection.

If you require any further information please, do not hesitate to contact Sylvia Smith on 0151 443 2341.

Yours sincerely

STEPHEN R ALLEY
Deputy Director of Regeneration and Neighbourhoods

**Head of Planning Services Jill Wilson BA MRTPI**
**P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB**
**Tel 0151 443 2303 Minicom 0151 443 3401 Fax 0151 443 2370**
**E-mail: planning.DPD@Knowsley.gov.uk**

~~07971064824~~

Mr Ferguson 07899907867

**SUMMARY OF PROPOSALS TO DISCHARGE CONDITIONS ON PLANNING PERMISSION - 01/00632/FUL.**

| NO | CONDITION | DATE INFO REC'D | DATE & DEPT CONS SENT | DATE CONS. REPLY | DATE COND DISCHARGED | |
|---|---|---|---|---|---|---|
| 1 | Five Years | | | | N/A. | |
| 2 | External Materials | 12.5.04. | | | discharged 7.10.04 | still discuss |
| 3 | Access Road. | 12.5.04 | Highways 20.5.04. | more info requested 7.10.04 | Recm 1:200, confirm hard/soft finish | remain H. |
| 4 | Landscaping | 12.5.04 | | | discharged 7.10.04 | remain discl. |
| 5 | Occupation of caravan limited | | | | N/A. | |
| 6 | Caravan to be removed by 31.8.05 unless a further app rec'd. | | | | N/A. | |
| 7 | Details of sewage disposal | | 31.5.04 | (TES). | | To JC & EA. |
| 8 | Details of stripping of soil | 12.5.02. | EH 20.5.04<br>EAS 20.5.04 | 7.6.04 (no comment).<br>27.5.04. (copy to app) | send copy of letter to EAS. See letter | |
| 9 | No livestock to be kept in yard | | | | N/A. | |
| 10 | Planting protected No storage. | 12.5.04 | | | | |
| 11 | Two working days notice re protective fencing | 12.5.04 | | | N/A. | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

55

43 Ruskin Way
Huyton -Roby
LIVERPOOL
L36 5UJ
Tel 0151 489 3241
Fax 0151 524 2469
Mob 07899 907867

Planning Knowsley M.B.C.
Development Control Dept
29 JUN 2006
L53a
Planning Services Division

28 June, 2006

Dear Ms Smith,

PLANNING PERMISSION
Application No; 01/00632/FUL

I refer to our telephone conversation on Wednesday 21st June 2006.

May I take this opportunity to thank you for your help in explaining in laymans terms each of the points we discussed regarding the above planning application.

I take note of conditions 1, 5, 6, 9, and 11.

I have answered conditions 2, 3, 4, 7, 8, and 10 below, and on the attached plan.

2. I refer to a letter from your Lee Osborne dated 10th March 2006. Cladding of the livestock building in Eternit P6 cladding in natural grey colour has been agreed.

3. Dimension of the hard standing area shall be 60 metres x 20 metres as indicated on the enclosed plan.

4. The 100 No fruit trees of 12 cm girth with 3.3 metre spacings in double staggered rows will be planted along the southern boundary with Hawthorne Cottage within the first available planting season following substantial completion of the livestock building and polytunnels. Any tree or other planting which is lost, felled, removed or becomes diseased, or is substantially damaged within a period of 5 years shall be replaced with the same during the first available planting season following the date of loss or damage.

7. Details of the Septic Tank position including its input and outfall are shown on the attached plan. A percolation test undertaken to British Standards by a suitably qualified and experienced person will be undertaken.

8. As previously documented. Insofar as I can ascertain soil removed for the access road was deposited to the right of the access road and the soil removed from the hardstanding area deposited over the field.
Any soil removed to lay foundations for the livestock building will be deposited over the field.

10. A fence of 1.2 metres in height using vertical stout poles driven well into the ground is already erected. This requires inspection for approval and discharge of the condition. The fence along the western boundary with Hawthorne Cottage is covered over by tree foliage. No storage of plant, materials or any works whatsoever shall take place within the protective fence.

11. Notice is hereby given to commence the development of the livestock building and 8 number polytunnels once the above conditions have been approved and discharged.

Yours faithfully

Mr James Ferguson

LO

43 Ruskin Way
Huyton -Roby
LIVERPOOL
L36 5UJ
Tel 0151 489 3241
Fax 0151 524 2469
Mob 07899 907867

Knowsley M.B.C.
Planning & Development Dept
- 1 JUN 2006
1331
Planning Services Division

31 May, 2006

Dear Sir,

PLANNING PERMISSION
Application No; 01/00632/FUL

Further to your letter dated 10th March 2006 (copy enclosed) regarding the above application and decision notice.

I refer to your numbered points which I have answered below using the same numbering.

2. No Change. Details of Cladding

3. No Change. Hard Stand details

4. No Change.

6. A new application for a temporary caravan accommodation is to be submitted.

7. Details of the Septic Tank position and outfall will be submitted on drawings with Fishing Lake application, along with a percolation test undertaken to British Standards by a suitably qualified and experienced person.

8. Details of this work is not available as this was carried out by the previous owner. I understand the soil removed for the access road was deposited to the right of the access road and the soil removed from the hardstanding area deposited over the field.
Any soil removed to lay foundations for the livestock building will be deposited over the field.

10. A fence of 1.2 metres in height is already erected. This requires inspection for approval and discharge of the condition

11. Notice is hereby given to commence the development of the livestock building and 8 number polytunnels once the above conditions have been approved.

Yours faithfully

Mr James Ferguson

Knowsley Council

Department of Regeneration and Neighbourhoods

Mr J Ferguson
43 Ruskin Way
Huyton
Knowsley
L36 5UJ

Our Ref: PS/LO/01/00632/FUL

443 2395

Date: 10 March 2006

Dear Mr Ferguson

**TOWN AND COUNTRY PLANNING ACT 1990**
**APPLICATION 01/00632/FUL**
**ERECTION OF 1 NO. LIVESTOCK BUILDING, 8 NO. POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**
**LAND AT SANDY LANE FARM, CUT LANE, KIRKBY**

I refer to your letter dated 27 February 2006 relating to the above subject and enclosures therein and previous correspondence from you concerning the same.

With regard to the approved development where details have already been agreed development would need to be in accordance with those details. Where you wish to change those agreed details submissions should be made and agreement reached before development commences. Where details are required and have not been agreed this should occur prior to the commencement of development. With regard the conditions I offer the following information (the numbers correspond to the appropriate condition):-

2. Eternit P6 cladding in natural grey colour has been agreed for the livestock building.

3. The surfacing of the access road and the access have been agreed as acceptable. Details of any changes to the surfacing should be submitted to the Local Planning Authority for assessment and agreement reached prior to any works commencing. The access road should not be widened or lengthened in any way to that approved.

4. The 100 no. fruit trees (Bramley Apple, Victoria Plum and Greengage) proposed of 12cm girth planted at 3.3 metre spacings in double staggered rows has been accepted. Details of any proposed changes to the landscaping scheme should be submitted to the Local Planning Authority and agreement reached prior to any works commencing. The hedging was marked on the submitted scheme.

6. The temporary caravan only had permission until 31 August 2005. Therefore if you propose a caravan a further planning application is required. In order that a full assessment can be made as to the suitability of any such planning application details should be submitted which demonstrate clear evidence of a firm intention and ability to develop the enterprise. If such a planning application were granted planning permission it would be for temporary

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**Head of Planning Services Jill Wilson BA MRTPI**
**P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB**
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Beacon Council
2003-2004
Removing Barriers to Work

Certificate No. 4774/05
Development Control, Building Control and Site Development

INVESTOR IN PEOPLE

accommodation and does not necessarily mean that planning permission would be granted for permanent accommodation.

7. Details of the septic tank that has been installed and details of the outfall etc should be submitted together with a drawing clearly showing the position of the tank prior to any works commencing. A percolation test should be undertaken and the results submitted as part of the required details. Also the details shall include whether the tank as existing is solely for the caravan or for the livestock building and its environs as well. If the sceptic tank is to be removed and replaced full details of the replacement prior to commencement are required.

8. Details are required of the type of machinery used for the soil stripping which has been carried out, the depth of the soil that was removed, along with details of where it is stored and the position of the holes filled (marked clearly on a plan). Any further soil stripping proposed will require a scheme to be submitted by a previously agreed person(s) prior to any works commencing.

10. The planting along the western boundary of the access road and the southern boundary with Sandy Brow Farmhouse/Hawthorne Cottage shall be protected by fencing of a minimum height of 1.2 metres using vertical or horizontal scaffolding poles or stout fencing with the uprights driven well into the ground. The fencing is to be erected in a location to be submitted to and approved in writing by the Local Planning Authority. A Z purlin barrier had been erected and location submitted previously, although the condition had not been discharged.

11. At least two working days written notice is to be given to the Local Planning authority of the intention to commence development, with the protective fencing required by the previous condition in place before the written notice of the start of development being given to the Local Planning Authority.

The proposed fishing lake will require planning permission. Drawings to be submitted with any planning application submitted shall include a location map with the boundary of the site edged red plus a site plan indicating any associated development such as access road and car parking area. In addition, drawings shall include a number of sections across the site and shall indicate existing and proposed ground levels together with floor levels of any buildings through which the sections run and shall extend beyond the site boundaries to include any adjacent properties. Such a proposal will be assessed, amongst other factors, on its impact on the amenity of the area, both visual and residential, together with highway considerations and the effect on the openness of the Green Belt. I have enclosed the forms necessary to submit such an application which should be returned with four copies of drawings and the appropriate planning application fee.

**Head of Planning Services Jill Wilson BA MRTPI**
**P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB**
**Tel 0151 443 2303 Minicom 0151 443 3401 Fax 0151 443 2370**
**E-mail: planning.DPD@Knowsley.gov.uk**

The advice in this letter is given in good faith on the basis of the information provided by you and available to me at this time and does not prejudice the Council with respect to any planning application received. If you require any further information please, do not hesitate to contact me on 0151 443 2395

Yours sincerely

LEE OSBORNE
Planner

**Head of Planning Services Jill Wilson BA MRTPI**
**P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB**
**Tel 0151 443 2303 Minicom 0151 443 3401 Fax 0151 443 2370**
**E-mail: planning.DPD@Knowsley.gov.uk**

# PLANNING PERMISSION
# Application No: 01/00632/FUL

**Name and address of applicant**
Mr A Gielty

Lyncroft Farm
Butchers Lane
Aughton

**Name and address of agent**
Michael Cunningham
Derby Chambers
Derby Street
Ormskirk
Lancs
L39 2BY

**Date of Receipt:** 17/09/2001

**Date valid:** 30/11/2001

**Address/Location Of Development**

Sandy Lane Farm Cut Lane Knowsley Industrial Park
Knowsley L33 3AJ

**Nature And Particulars Of Application**

ERECTION OF 1 NO LIVESTOCK BUILDING, 8 NO POLYTUNNELS AND CARAVAN FOR TEMPC
RESIDENCE

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above a
Planning Permission has been **granted** for the carrying out of the development referred to above in a
with the application and plans submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of five years beginning with the date
permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning A

2. No part of the development hereby permitted shall be commenced until details of the proposed ex
materials to be used on the walls and roof of the livestock building hereby permitted have been subn
approved in writing by the Local Planning Authority. The livestock building shall only be erected in ac
the agreed details.

Reason: In the interests of visual amenity and to comply with policy G7 of the Knowsley Unitary Dev
adopted June 1998.

3. No part of the development hereby permitted shall commence until full details of the access, acce
any area of hardstanding including a drawing at 1:200 scale and details of surfacing has been submi
approved in writing by the Local Planning Authority. The agreed scheme shall be installed prior to ar
development coming into use and shall be maintained in accordance with the agreed details at all tin
site is use for any part of the development hereby permitted.

Reason: For the avoidance of doubt and in the interests of road safety and to accord with policy T12
Knowsley Unitary Development Plan, adopted June 1998.

4. The site shall be landscaped in accordance with a scheme to be submitted to and approved in wri
Local Planning Authority prior to the start of development.

The scheme shall be wholly implemented in its finally approved form within the first available plantin
following the substantial completion of the livestock building or polytunnels, which ever comes first. A

other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a years thereafter shall be replaced in kind during the first available planting season following the date damage.

Reason: In the interests of visual amenity and to comply with policy G7 of the Knowsley Unitary Dev adopted June 1998.

5. The occupation of the caravan shall be limited to a person solely or mainly employed in connectio agricultural development hereby permitted as defined in Section 336 of the Town and Country Plann

Reason: The site is located within the approved Knowsley Green Belt, as defined in the Knowsley U Development Plan. This plan, in accordance with national planning guidance, sets a strong presump most forms of residential development. Permission has only been granted in the light of the agricultu

6. The caravan hereby permitted shall be removed and the land reinstated to its former condition, in removal of all ancillary works and structures (not including the polytunnels nor the livestock building) the expiry of a period ending on 31 August 2005 unless a further application for a renewal of the per planning application for a permanent building has been previously submitted and approved by the Lo Authority

Reason: To enable the Local Planning Authority to re-assess the proposal on the expiry of the permi regard to the economic viability of the agricultural enterprise and to comply with Al of PPG7.

7. No part of the development hereby granted permission shall be commenced until details of sewag have been submitted to and approved in writing by the Local Planning Authority. When assessing th the site for septic tank drainage, a percolation test shall be undertaken by a suitably qualified and ex person in accordance with the appropriate current British Standards. The caravan and livestock buil permitted shall not come into use until the details of the sewage disposal have been implemented in

Reason: To ensure a satisfactory provision of sewage disposal facilities and in the interests of reside and to comply with Policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

8. No part of the development hereby granted permission shall be commenced until a scheme has b to by a person(s) the identity of whom has been previously agreed in writing by the Local Planning A approved in writing by the Local Planning Authority for the stripping of the soil on the site of the acce livestock building and areas of hardstanding. The scheme shall include details of the storage and re- removed.

Reason: To ensure that the topsoil of Best and Most Versatile Land is not developed on and to comp G11 of the Knowsley Unitary Development Plan, adopted June 1998.

9. No livestock shall be kept on the yard area or any hardstandings approved as part of the scheme condition 2 of this planning permission.

Reason: For the avoidance of doubt and to accord with the terms of the letter submitted by the agen 2002, and in the interests of residential amenity.

10. No part of the development hereby permitted shall be commenced until the planting along the we boundary of the access road and the southern boundary with Sandy Brow Farmhouse/Hawthorne C been protected by fencing, of a minimum height of 1.2 metres, which shall use vertical or horizontal poles or stout fencing with the uprights driven well into the ground. The fencing shall be erected in a submitted to and agreed in writing by the Local Planning Authority and retained in the approved posi development is completed.

No storage of plant or material (including soil), works (including improvement of soil, changes in grou vehicular movement of soil, changes in ground level, vehicular movements, siting of temporary build

works), lighting of fires or tipping of liquids shall take place within the protective fencing hereby defin

Reason: To protect existing trees and other planting along parts of the western and southern bounda and to comply with Policy En14 of the Knowsley Unitary Development Plan, adopted June 1998.

11. At least two working days written notice shall be given to the Local Planning Authority of the inte commence development. The protective fencing referred to in condition 9 shall be in place prior to th notice of the start of development being given to the Local Planning Authority.

Reason: To ensure that the proper protection of trees and other planting has been carried out in the visual amenity and to comply with policy En14 of the Unitary Development Plan.

Any applicable UDP policies for the granting of permission can be read here.

Any informatives applying to the permission can be read here.

Barbara Spicer

**Date: 01/08/2002**

**IMPORTANT NOTES FOR YOUR ATTENTION:**

1. **This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.**

2. **This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.**

3. **If a Building Regulations Consent is required for these works it is your responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works.**

4. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to condition, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form, which is obtainable from The Planning Inspectorate). See address below. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning/authority was based on a direction given by him.

5. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the secretary of state for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

6. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and country Planning Act 1990.

Appeal forms and guidance can be downloaded from the web site www.planning-inspectorate.gov.uk. Alternatively they can be obtained from the following address:-

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Telephone: 0117 372 6372

**METROPOLITAN BOROUGH OF KNOWSLEY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**

Application No: 01/00632/FUL
Date of Receipt: 17.09.2001
Date Valid: 30.11.2001

**Name and address of applicant**
Mr A Gielty
Lyncroft Farm
Butchers Lane
Aughton

**Name and address of agent**
Michael Cunningham
Derby Chambers
Derby Street
Ormskirk
Lancs
L39 2BY

**Address or location of development**
Sandy Lane Farm Cut Lane Knowsley Industrial Park Knowsley L33 3AJ

**Nature and particulars of application**
ERECTION OF 1 NO LIVESTOCK BUILDING, 8 NO POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been granted for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.

   Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. No part of the development hereby permitted shall be commenced until details of the proposed external facing materials to be used on the walls and roof of the livestock building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The livestock building shall only be erected in accordance with the agreed details.

   Reason: In the interests of visual amenity and to comply with policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

3. No part of the development hereby permitted shall commence until full details of the access, access road and any area of hardstanding including a drawing at 1:200 scale and details of surfacing has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be installed prior to any part of the development coming into use and shall be maintained in accordance with the agreed details at all times that the site is use for any part of the development hereby permitted.

   Reason: For the avoidance of doubt and in the interests of road safety and to accord with policy T12 of the Knowsley Unitary Development Plan, adopted June 1998.

The site shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the start of development.

The scheme shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of the livestock building or polytunnels, which ever comes first. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

O.K discharge

Reason: In the interests of visual amenity and to comply with policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

5. The occupation of the caravan shall be limited to a person solely or mainly employed in connection with the agricultural development hereby permitted as defined in Section 336 of the Town and Country Planning Act 1990.

N/A

Reason: The site is located within the approved Knowsley Green Belt, as defined in the Knowsley Unitary Development Plan. This plan, in accordance with national planning guidance, sets a strong presumption against most forms of residential development. Permission has only been granted in the light of the agricultural need.

6. The caravan hereby permitted shall be removed and the land reinstated to its former condition, including the removal of all ancillary works and structures (not including the polytunnels nor the livestock building) at or before the expiry of a period ending on 31 August 2005 unless a further application for a renewal of the permission of a planning application for a permanent building has been previously submitted and approved by the Local Planning Authority

N/A

Reason: To enable the Local Planning Authority to re-assess the proposal on the expiry of the permission having regard to the economic viability of the agricultural enterprise and to comply with AI of PPG7.

7. No part of the development hereby granted permission shall be commenced until details of sewage disposal have been submitted to and approved in writing by the Local Planning Authority. When assessing the suitability of the site for septic tank drainage, a percolation test shall be undertaken by a suitably qualified and experienced person in accordance with the appropriate current British Standards. The caravan and livestock building hereby permitted shall not come into use until the details of the sewage disposal have been implemented in full.

check with UU Need details

Reason: To ensure a satisfactory provision of sewage disposal facilities and in the interests of residential amenity and to comply with Policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

8. No part of the development hereby granted permission shall be commenced until a scheme has been submitted to by a person(s) the identity of whom has been previously agreed in writing by the Local Planning Authority and approved in writing by the Local Planning Authority for the stripping of the soil on the site of the access road, livestock building and areas of hardstanding. The scheme shall include details of the storage and re-use of the soil removed.

Machinery depth ? stored ?

EAS

Reason: To ensure that the topsoil of Best and Most Versatile Land is not developed on and to comply with Policy G11 of the Knowsley Unitary Development Plan, adopted June 1998.

9. No livestock shall be kept on the yard area or any hardstandings approved as part of the scheme required by condition 2 of this planning permission.

N/A

Reason: For the avoidance of doubt and to accord with the terms of the letter submitted by the agent dated 10 April 2002, and in the interests of residential amenity.

10. No part of the development hereby permitted shall be commenced until the planting along the western boundary of the access road and the southern boundary with Sandy Brow Farmhouse/Hawthorne Cottage have been protected by fencing, of a minimum height of 1.2 metres, which shall use vertical or horizontal scaffolding poles or stout fencing with the uprights driven well into the ground. The fencing shall be erected in a location to be submitted to and agreed in writing by the Local Planning Authority and retained in the approved position until the development is completed.

Take photograph

No storage of plant or material (including soil), works (including improvement of soil, changes in ground level, vehicular movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing hereby defined.

Reason: To protect existing trees and other planting along parts of the western and southern boundaries of the site and to comply with Policy En14 of the Knowsley Unitary Development Plan, adopted June 1998.



At least two working days written notice shall be given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in condition 9 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority.

Reason: To ensure that the proper protection of trees and other planting has been carried out in the interests of visual amenity and to comply with policy En14 of the Unitary Development Plan.

Graham Smith

**Director Of Planning And Development**

**Date: 01.08.2002**

**IMPORTANT NOTES FOR YOUR ATTENTION:**

1. **This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.**

2. **This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.**

3. **If a Building Regulations Consent is required for these works it is <u>your</u> responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works.**

4. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to condition, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form, which is obtainable from the Department of the Environment). See address below. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning/authority was based on a direction given by him.

5. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the secretary of state for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

6. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and country Planning Act 1990.

Department of the Environment, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

ORGANIC FARMERS & GROWERS
ORGANIC CERTIFICATION UK2

# A. & D. GIELTY LTD

**LYNCROFT ORGANIC FARM**
BUTCHERS LANE, AUGHTON GREEN
ORMSKIRK, LANCASHIRE L39 6SY
Telephone: 01695 421712
Fax: 01695 422117

YOUR REF PS/SS 01/00632/FUL

16-11-04

P... Dept

Pl... 3442 SS

...vision

ORGANIC FOOD FEDERATION Certified Organic
ORGANIC CERTIFICATION U.K.4

KNOWSLEY COUNCIL,

F.A.O. GRAHAM SMITH

REF YOUR LETTER 7-10-04

GUARANTEED ORGANIC

CONDITION 3 PLAN ENCLOSED,

CONDITION 7 PLAN ENCLOSED WITH INFO LEAFLET ENCLOSED.

POWERED BY ECOTRICITY

CONDITION 8 THE MACHINERY FOR STRIPPING SOIL. — OUR OWN JCB 3CX HAS BEEN USED UPTO NOW NO SOIL HAS BEEN OR WILL BE TAKEN OF SITE.

JCB HAS NOW BEEN SCRAPPED SO THE JOB WILL BE FINNISHED BY OUR KUBOTA 191 MINI EXCAVATOR (NORMALY USED FOR CLEANING DITCHES) & LEVELED BY OUR TAREN MARSHALL 55 CRAWLER. (MINI BULLDOZER). EXCAVATION DEPTH ABOUT 500MM. PLAN ENCLOSED.

POSITIVE ABOUT DISABLED PEOPLE

CONDITION 10 I DON'T HAVE A PHOTO — CAN I BRING YOU A SAMPLE TO SEE/KEEP?

RECYCLED PAPER

ALF GIELTY.

Knowsley Council

## Department of Regeneration and Development

*Deputy Chief Executive & Director of Regeneration and Development*
*Graham Smith B Sc Dip MS C Eng MICE MIHT*

Mr A Geilty
Lyncroft Organic Farm
Butchers Lane
Aughton Green
Ormskirk
Lancs
L39 6SY

Our Ref PS/DC/SS/01/00632/FUL

Your Ref

Date: 7 October 2004

Dear Mr Geilty

**TOWN AND COUNTRY PLANNING ACT 1990**
**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995**
**ERECTION OF 1 NO LIVESTOCK BUILDING, 8 NO. POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE – SANDY LANE FARM, CUT LANE, KNOWSLEY**

I refer to your letter received by this Council on 23 June 2004 in connection with the above development.

CONDITIONS 1, 5, 6, 9 AND 11

These conditions do not require discharging.

CONDITION 2

The materials P6 cladding in natural grey colour to be used for the livestock building is considered acceptable and provided the development is carried out in accordance with these details condition 2 is formally discharged.

CONDITION 3

The highway section of the Council have visited the site and the surfacing of the access road and the access are considered acceptable. However, in order for me to discharge this condition please show the position and mark clearly any hardstanding on the drawing enclosed and also include the measurements.

CONDITION 4

The Arboricultural Officer has confirmed that the number of fruit trees to be planted along the hawthorn hedge to the south is acceptable and provided this is carried out in accordance with the details submitted, condition 4 is formally discharged.

CONDITION 7

Could you please mark clearly on the enclosed drawing the position of the septic tank and the direction of the flow for the temporary residential amenity. We require further details of the sceptic tank that has been installed and details of the out fall etc (manufacturers literature)

CONDITION 8

Could you please submit details of the type of machinery used for the soil stripping, the depth of soil that was removed, where it is stored (mark clearly on drawing) and mark clearly and label the position of the holes to be filled in.

CONDITION 10

Could you please take a photograph of the Z perlin barrier to be used.

If you require any further information, please do not hesitate to contact Sylvia Smith on 0151 443 2341

Yours faithfully

GRAHAM SMITH
Director

ORGANIC FARMERS & GROWERS
ORGANIC CERTIFICATION UK2

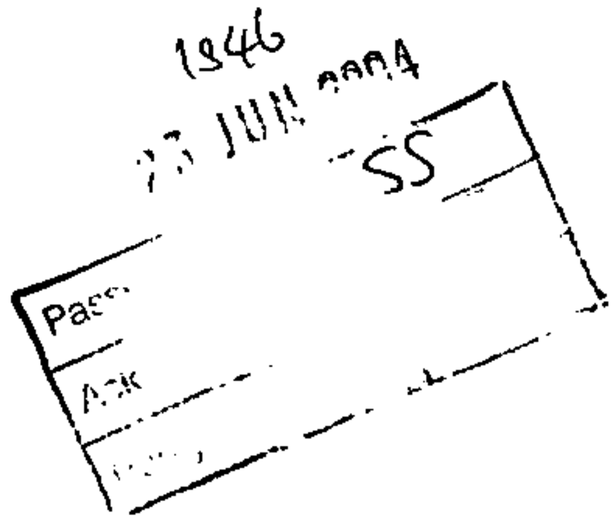
# A. & D. GIELTY LTD

**LYNCROFT ORGANIC FARM**

BUTCHERS LANE, AUGHTON GREEN
ORMSKIRK, LANCASHIRE L39 6SY

Telephone: 01695 421712
Fax: 01695 422117

Sylvia Smith
Assistant Planner
Knowsley Council
PO Box 26
Municipal Buildings
Archway Road
Huyton
Merseyside
L36 9FB




ORGANIC CERTIFICATION U.K.4

22nd June 2004

Dear Ms Smith

Re: your ref PS/DC/SS/01/00632/FUL

Further to your recent correspondence, please find below the answers to all your comments and conditions.

Condition 4 I plan to plant approximately 100 trees, varieties are Bramley Apple, Victoria Plum and greengage. They will be approx 12cm girth ie standard fruit tree transplants and planted at 10foot spacing, double stagger rows. As our farm is all organic, this creates a great limit to the varieties of tree transplants available to enable us to conform to the organic standards, which are environmentally friendly. Hedges have been marked on the enclosed plan in blue and trees in green, for your convenience.

Condition 7 The septic tank and the direction of the flow has been marked on the enclosed map for your attention. 70m pipe was used as marked on the plan, along the road and was designed to use hardcore as a soakaway. It has been kept to a suitable depth and more than complies with BS standards.

Condition 10 the steel Z perlin barrier has also been marked on the enclosed map in red. I have not got any manufacturers literature but I have enclosed an actual drawing of an end of a Z perlin. I hope this is good enough, but if not I could have a photograph taken and forward it on if needed.

With regards to the copy letter sent to me, from the environmental advisory service, please note the following comments,

RECYCLED PAPER

1 There has not been and never will be any contractor employed to remove top soil, or any other soil. All work has been carried out by myself or my immediate family.

2 The top soil concerned is to be used to fill in holes on the same piece of land and will be done so as soon as you grant us permission to return to the site. The holes in need of levelling, have been marked in pencil on the enclosed map. It has only been left because we were asked not to do any more work on site until you allow us. We are not stockpiling any soil. Permission to go back on site is required as soon as possible, due to the delays involved, I have already lost this years season.

3 Please refer to comments at 2.

4 Again please refer to the above points.

Yours faithfully

A Gielty

Knowsley Council

Department of Regeneration and Development
Deputy Chief Executive & Director of Regeneration and Development
Graham Smith B Sc Dip MS C Eng MICE MIHT

Mr A Gielty
Lyncroft Farm
Butchers Lane
Aughton

Our Ref: PS/DC/SS/01/00632/FUL

Date: 20 April 2004

Dear Mr Gielty

**TOWN AND COUNTRY PLANNING ACT 1990**
**APPLICATION NUMBER 01/6325/FUL**
**ERECTION OF 1 NO LIVESTOCK BUILDING, 8 NO POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE – SANDY LANE FARM, CUT LANE, KNOWSLEY INDUSTRIAL PARK, KNOWSLEY**

I refer to the above planning application granted planning permission by the Council subject to a number of conditions.

It has been brought to our notice that work has commenced on the above site.

None of the conditions on the above application have been discharged and it necessary for you to submit these details within 10 working days of the date of this letter.

I have enclosed a copy of the decision notice for your attention and highlighted the conditions that need to be addressed.

I would request that the relevant details be submitted and I look forward to hearing from you however, should you wish to discuss any matter further, please do not hesitate to contact me on 0151 443 2341

Yours faithfully

SYLVIA SMITH
Assistant Planner

CC Michael Cunningham

Beacon Council
2003-2004
Removing Barriers to Work
2002-2003
Fostering Business Growth

makeitmerseyside.org

INQUAR QUALITY ASSURED FIRM UKAS
Certificate No. 2900/01

INVESTOR IN PEOPLE

Mr A Geilty
Lyncroft Organic Farm
Butchers Lane
Aughton Green
Ormskirk
Lancs
L39 6SY

Our Ref PS/DC/SS/01/00632/FUL

Your Ref

Date: 20 May 2004

Dear Mr Geilty

**TOWN AND COUNTRY PLANNING ACT 1990**
**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995**
**ERECTION OF 1 NO LIVESTOCK BUILDING, 8 NO. POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE – SANDY LANE FARM, CUT LANE, KNOWSLEY**

I refer to your letter received by this Council on 12 May 2004 in connection with the above development.

CONDITION 4

I have discussed the tree planting with the Arboricultural Officer and more information is required. Carl has confirmed that planting fruit trees along the hawthorn hedge to the south is acceptable but could you please submit the number of trees you are planting, the spacing, species and sizes e.g.10-12cms girth.

CONDITION 7

We require further details of the sceptic tank that has been installed and details of the out fall etc.

CONDITION 10

Could you please mark on the enclosed plan the position of the steel z perlin barrier and give details (Photographs or manufacturers literature will be acceptable)

Could you please submit this information to this office no later than 7 June 2004.

If you require any further information , please do not hesitate to contact me on 0151 443 2341

Yours faithfully

SYLVIA SMITH
Assistant Planner

Brow Farm House was a mistake, as the development does not come within 200meters of it and we have no need to take any vehicles or materials in that direction. The fence will be 1.2 meters high, spaced out at 1 meter from the hedge.

Point 11 We will contact you when we have completed the protection fence and hopefully obtain your approval.

Yours faithfully

A Gielty

Enc.

Wednesday 2pm.

07971064824.

# A. & D. GIELTY LTD

**LYNCROFT ORGANIC FARM**
BUTCHERS LANE, AUGHTON GREEN
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RECYCLED PAPER

F.A.O. Ms S Bannister
Department of Regeneration & Development
Knowsley Council
Huyton
Merseyside

Ref: PS/DC/SS/01/00632/FUL

10th May 2004

Dear Ms Bannister

Further to your letter dated 20th April 2004, and our subsequent on site meeting, please find the following answers to the points raised.

√ Point 2 Reference to P6 cladding – P6 cladding is standard cement fibre sheet. I have enclosed a leaflet for your attention. I would prefer to use natural grey, however the colours as shown in the leaflet, can be obtained if you insist. This material is best for a livestock building as it does not suffer from condensation like steel sheets.

Point 3 Please find enclosed the planning.

Point 4 Also enclosed is a landscape plan.

Point 7 The septic tank has been installed in a suitable position and the perculation test in accordance with BS6297 has passed easily.

Point 8 Top Soil – There is no contractor being appointed for the removal of the top soil, as this is being done by our own farm machinery and is presently stored on site. We will leave it there until you give us permission to spread in into various holes to improve the quality of the field.

Point 10 The boundary with Hawthorne Cottage, is to be protected with a steel z perlin barrier. The materials are to arrive with in the week. We then await your permission to proceed. We presume the reference in your letter to Sandy

43 Ruskin Way
Huyton -Roby
LIVERPOOL
L36 5UJ
Tel 0151 489 3241
Fax 0151 524 2469
Mob 07899 907867

29 July 2006

Dear Ms Smith,

PLANNING PERMISSION
Application No; 01/00632/FUL

I refer to a letter from your Stephen Alley dated 6th July 2006 (copy enclosed).

My understanding is that the only outstanding issue is Condition 3.

I enclose a drawing in scale 1:200 with regard to this condition.

Would you please advise at your earliest convenience that all conditions have been met and are now discharged, allowing me to start work on the development and the build of the Livestock Building and 8 No Poly Tunnels.

Yours faithfully

Mr James Ferguson

Knowsley M.B.C.
Planning & [illegible] Dept
- 2 AUG 2006
Planning Services Division

Cond 3.

# MEMORANDUM

**To:** Sylvia Smith, DRD PS

**Your Ref:** PS/DC/SS/01/00632/ful

**From:** Mike Taylor, DRD PT

**Our Ref:** PT/TM/MT

**Date:** 22.6.04

**RE:** ERECTION OF 1NO LIVESTOCK BUILDING, POLYTUNNELS & CARAVAN – SANDY LANE FARM, CUT LANE, KNOWSLEY

---

**Telephone 443 2233**

Thank you for your memorandum of 20th May 2004 concerning the above.

The proposed access is acceptable to the Highway Authority.

If you require any further information please do not hesitate to contact me.

M. Taylor

.....

1826
22 JUN 2004
SS

Passed to
Ack

MK

Copy

# MEMORANDUM

*To:* DAVE WHITTLESTONE

*Your Ref:*

*From:* SYLVIA SMITH (PS)

*Our Ref:* PS/DC/SS/01/00632/ful

*Date:* 20/5/2004

*Subject:* **ERECTION OF 1 NO. LIVESTOCK BUILDING, 8 NO POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE – SANDY LANE FARM, CUT LANE, KNOWSLEY**

---

SYLVIA SMITH 2341

Please find attached details of the proposed new access road (condition 3) on the above development.

Could you please reply with any comments within the next 10 days.

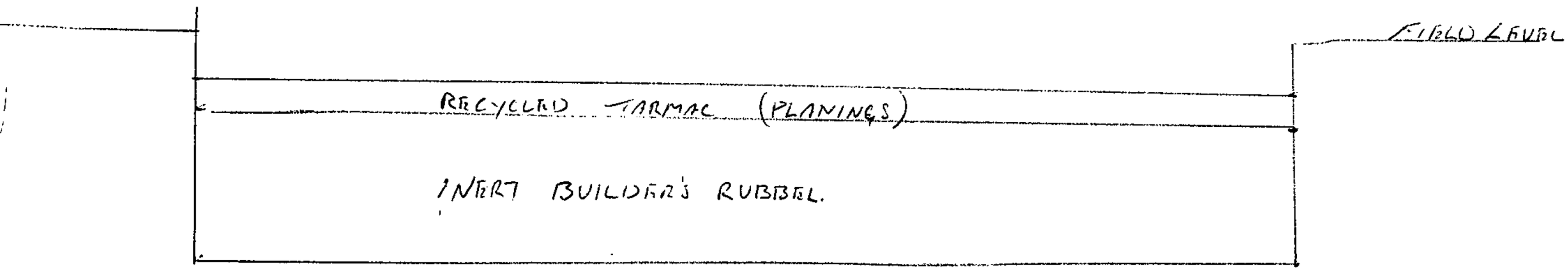
SS

.....

SYLVIA SMITH
Assistant Planner

CROSS SECTION PLAN OF NEW ACCESS ROAD AT SANDY LANE FARM.
(AS REQUESTED BY S BAN. ISTER.) SCALE 1-200.?
DRAWN @ 1-20

01/00632/FUL
Recd 12.5.04
Cond 3.




RUBBEL BASE THICKNESS TO SUPPORT MODERN HEAVY LORRY
RECYCLED TARMAC TO GIVE SMOOTH SURFACE WITH OPEN
TEXTURE TO ALLOW RAINWATER TO PERMIATE AND SOAKAWAY
NATURALLY. THE DARK COULOR OF THIS MATERIAL IS SIMILAR
TO THE TOP-SOIL AND BLENDIN TO THE LANDSCAPE

DRAWN BY A RIGLEY

# MEMORANDUM

From: Planning Services Division
Carl Salisbury – Tel: 2281

Our Ref: 01/00632/FUL

Your Ref:

Date: 1st September 2004

To: Sylvia Smith

Subject: Sandy Lane Farm, Cut Lane, Knowsley – Condition 4 (Landscaping)

I can confirm that I have assessed the landscaping proposals for the above-mentioned planning application and would advise that they are acceptable and do fulfil the requirements of the condition.

Carl Salisbury
Arboricultural Officer

# MEMORANDUM

*To:* CARL SALISBURY(PS)

*From:* SYLVIA SMITH (PS)

*Your Ref:*

*Our Ref:* PS/DC/SS/01/00632/FUL

*Date:* 31/8//04

*Subject:* **ERECTION OF 1 NO. LIVESTOCK BUILDIN, 8 NO. POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE – SANDY LANE FARM, CUT LANE, KNOWSLEY**

SYLVIA SMITH 2341

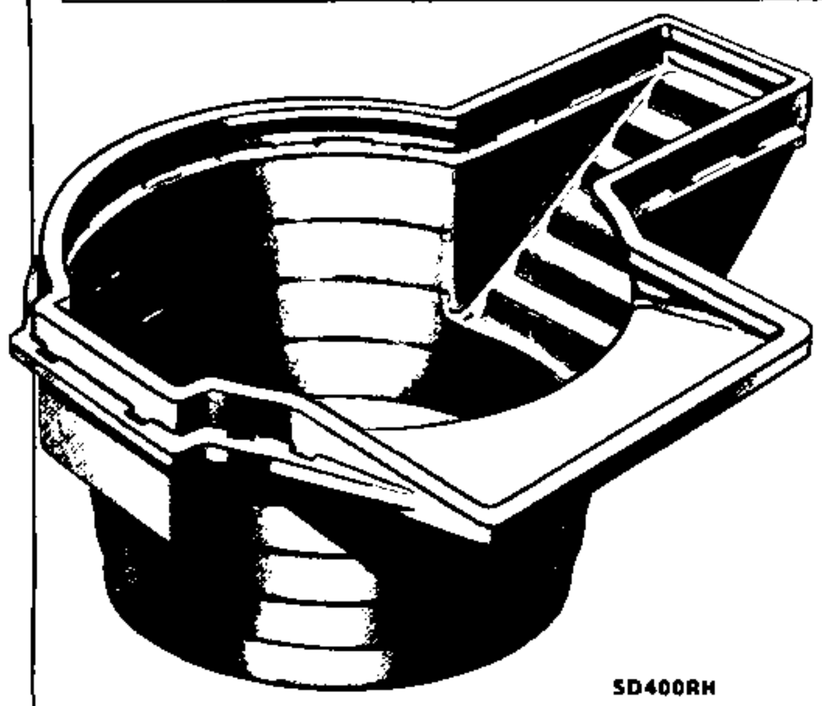
Please find attached details of the proposed landscaping (condition 4) on the above application. Could you please forward any comments within the next 10 days.

.....

SYLVIA SMITH
Assistant Planner

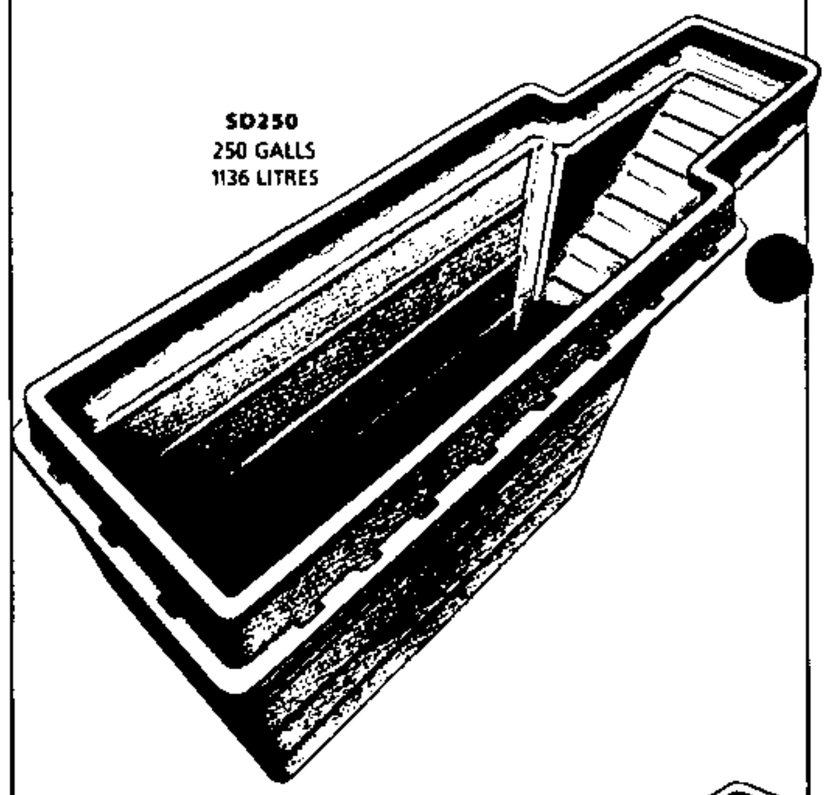
# SHEEP DIPS

■ POSITIVE GROUND FIXING FEATURE ■ ANTI SPLASH RIM ■ COMPLETE WITH DRAIN-BACK STEPS
■ TOTALLY RESISTANT TO DIPPING SOLUTIONS

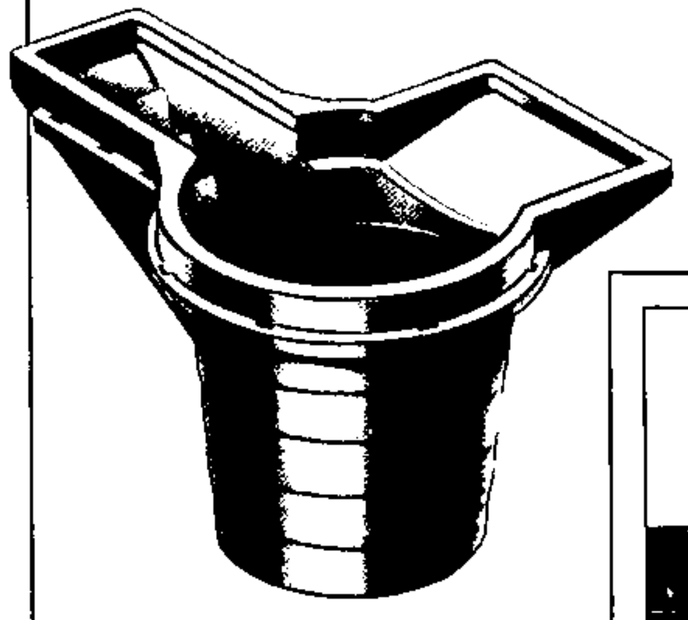


**SD400RH**
400 GALLS, 1818 LITRES
RIGHT HAND SIDE ENTRY

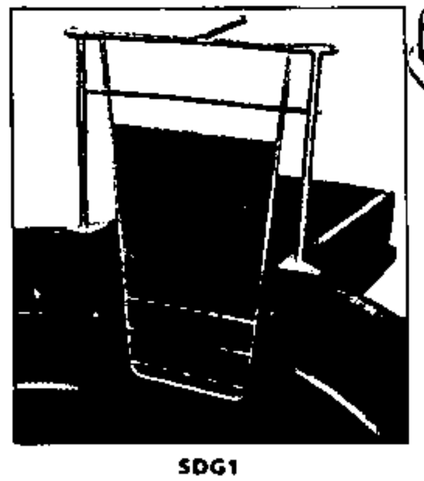
ALSO AVAILABLE: SD400LH LEFT HAND SIDE ENTRY



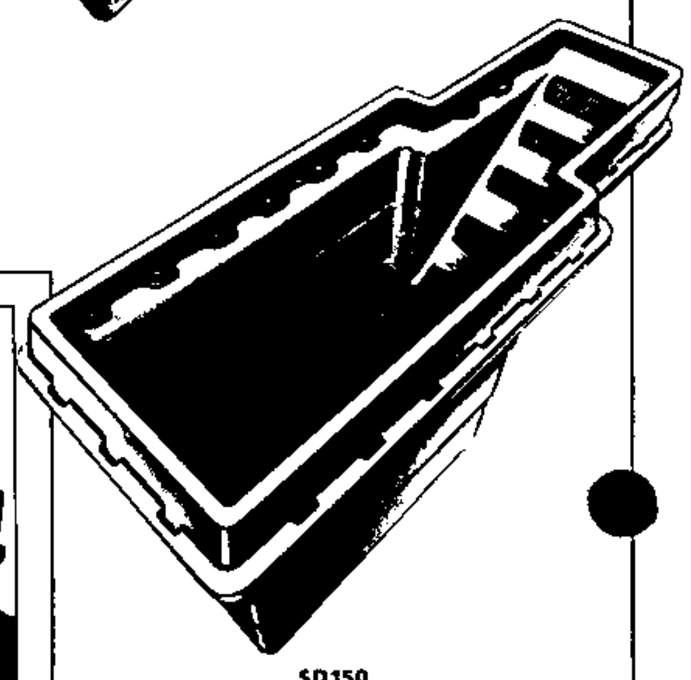
**SD250**
250 GALLS
1136 LITRES



**SD275**
275 GALLS
1250 LITRES
RIGHT HAND SIDE ENTRY



**SDG1**
EXIT GATE SUITABLE
FOR ALL MODELS

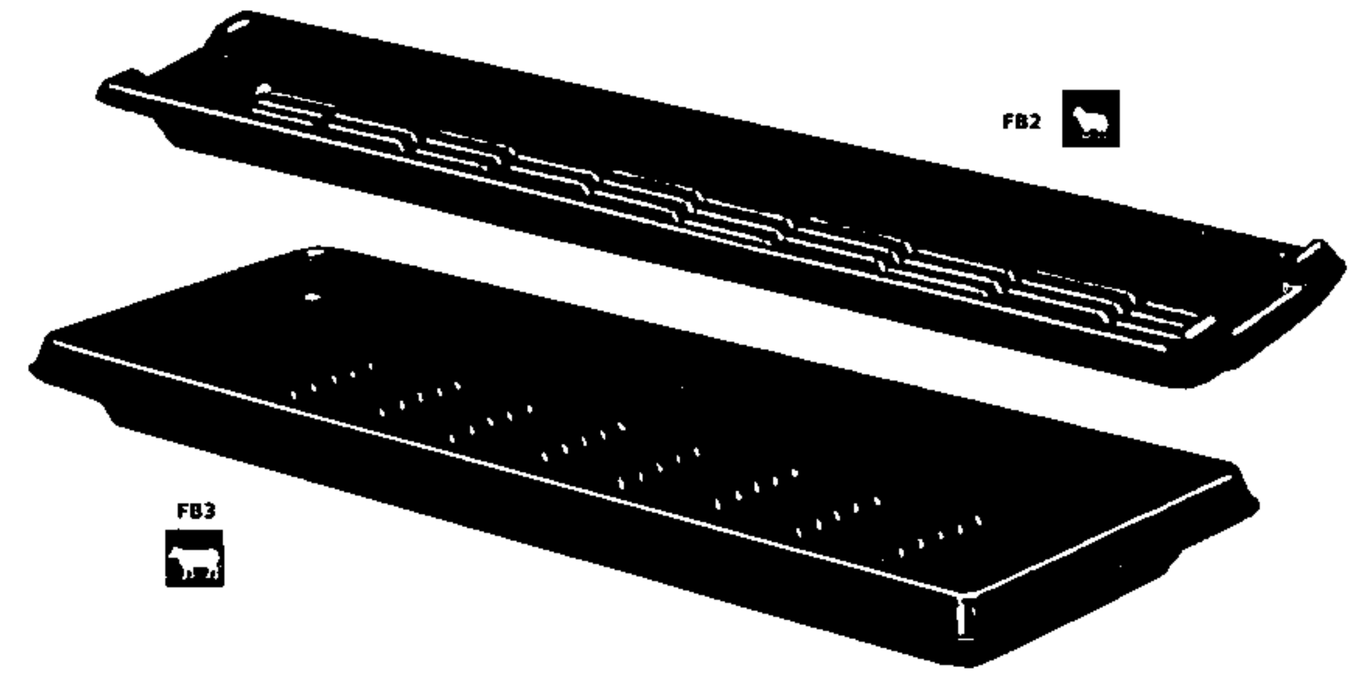


**SD150**
150 GALLS
682 LITRES

| MODEL NUMBER | EXTERNAL SIZE INCHES | EXTERNAL SIZE mm | MATERIAL | COLOUR | CAPACITY GALLS | CAPACITY LITRES |
|---|---|---|---|---|---|---|
| **SD150** | 90 x 36 x 42 | 2286 x 915 x 1070 | Medium Density Polyethylene | Black | **150** | **682** |
| **SD250** | 114¾ x 36 x 48 | 2915 x 915 x 1220 | Medium Density Polyethylene | Black | **250** | **1136** |
| **SD275** | 90½ x 70¾ x 48¼ | 2300 x 1800 x 1240 | Medium Density Polyethylene | Black | **275** | **1250** |
| **SD400RH/LH** | 106 x 81 x 50½ | 2692 x 2060 x 1283 | Medium Density Polyethylene | Black | **400** | **1818** |
| **SDG1** | Suits all models | Suits all models | Galvanised Mild Steel | Galvanised | – | – |

# FOOT ROT BATHS

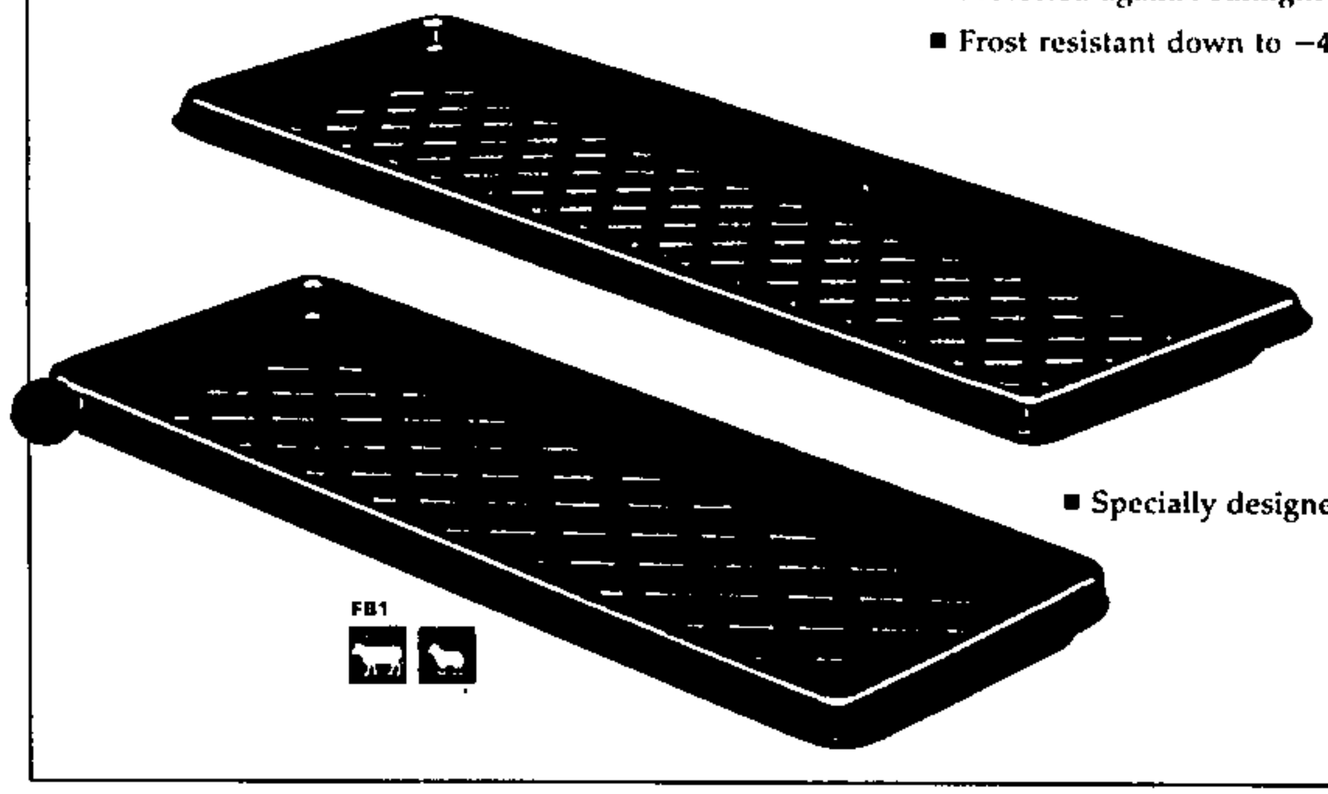
■ Specially designed floor opens foot ensuring penetration of anti- footrot solutions



**FB2**

**FB3**

■ One piece stress free moulding
■ Lightweight and easy to handle
■ Will not rust, rot, chip or flake
■ Large internal radii with no sharp edges or corners – non injurious to livestock
■ Smooth, hygienic and easily cleaned
■ Protected against sunlight
■ Frost resistant down to −40°C (−40°F)



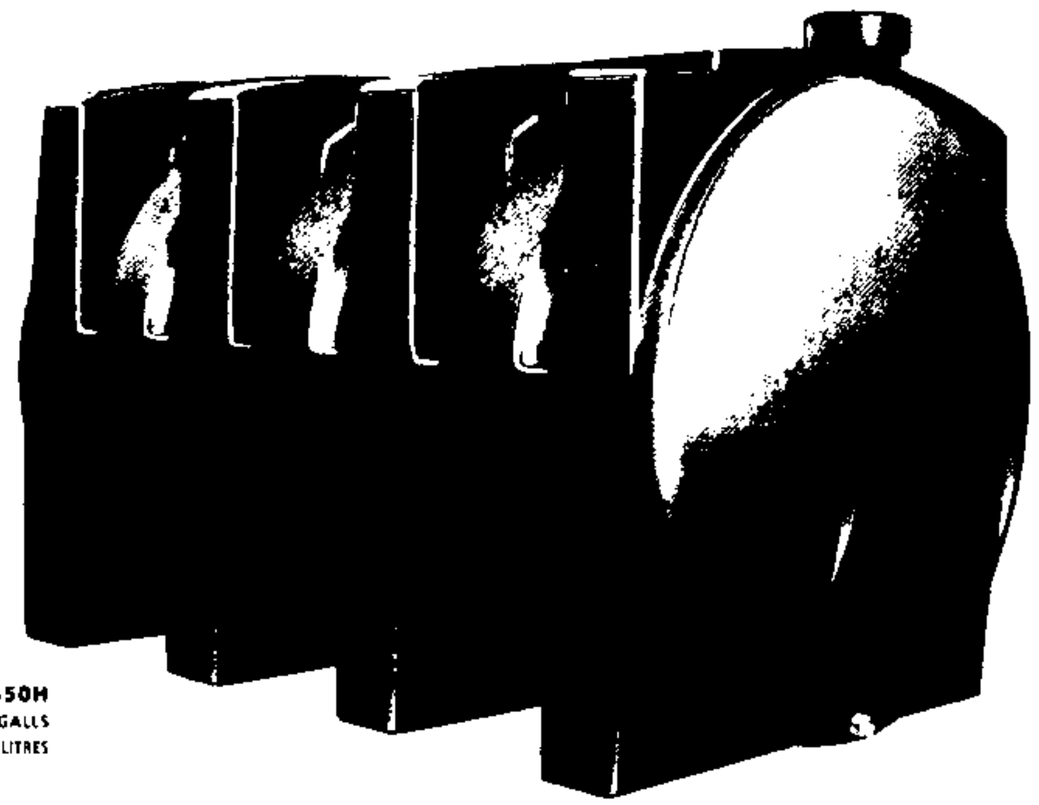
**FB4**

■ Specially designed non-slip floor

**FB1**

| MODEL NUMBER | EXTERNAL SIZE INCHES | EXTERNAL SIZE mm | MATERIAL | COLOUR | CAPACITY GALLS | CAPACITY LITRES |
|---|---|---|---|---|---|---|
| **FB1** | 78¾ x 33½ x 6 | 2000 x 850 x 150 | Medium Density Polyethylene | Black | **39** | **180** |
| **FB2** | 118 x 18½ x 7 | 3000 x 470 x 180 | Medium Density Polyethylene | Black | **19** | **86** |
| **FB3** | 118 x 43¼ x 9¾ | 3000 x 1100 x 240 | Medium Density Polyethylene | Black | **119** | **541** |
| **FB4** | 120 x 36 x 6 | 3050 x 915 x 150 | Medium Density Polyethylene | Black | **68** | **309** |

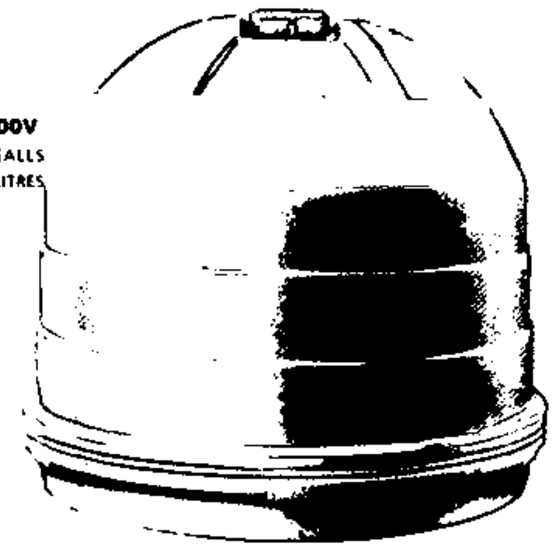
# OIL & DIESEL STORAGE TANKS



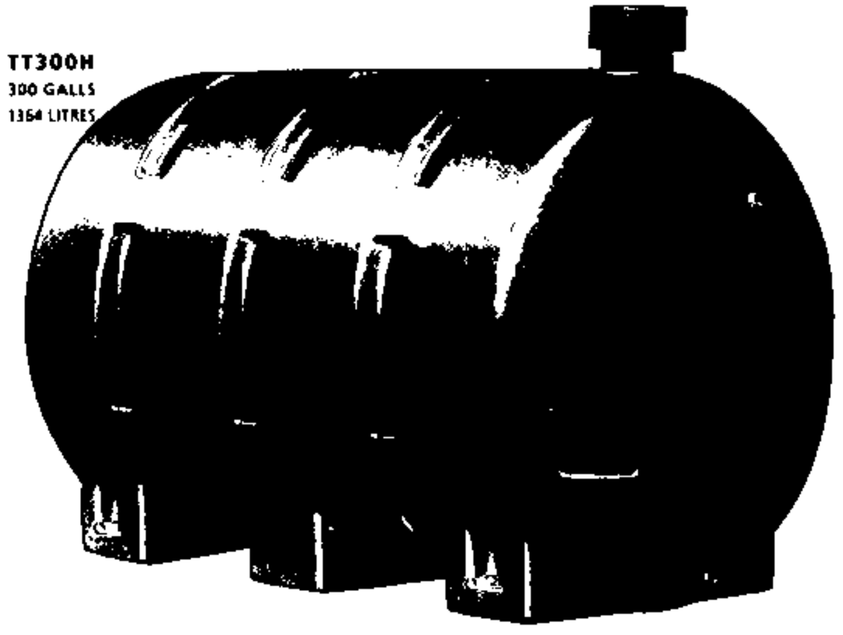
TT550H
550 GALLS
2500 LITRES

**SITING INSTRUCTIONS FOR TT300H and TT550H**

1. The tank must be supported horizontally on the feet provided or alternatively along its entire length.
2. The TT300H may be anchored to piers by using the recesses located on each foot. Use angle brackets. DO NOT DRILL THE TANK.
3. Use only Stag Compound or P.T.F.E. Tape when jointing. DO NOT USE BOSS WHITE OR PUTTY ON THESE PRODUCT.



TT600V
600 GALLS
2728 LITRES



TT300H
300 GALLS
1364 LITRES

- Robust, one piece stress-free moulding
- Does not rust or rot
- Maintenance free – no painting
- Easy to handle
- Standard BSP connectors
- Protected against sunlight
- Frost resistant down to −40°C (−40°F)

**SITING INSTRUCTIONS FOR TT300V and TT600V**

1. The tank must be uniformly supported across its entire base; e.g. on a two inch timber sheet supported upon five piers; four at the corners and the fifth in the centre.
2. Use only Stag Compound or P.T.F.E. Tape when jointing. DO NOT USE BOSS WHITE OR PUTTY ON THIS PRODUCT.

| MODEL NUMBER | MAXIMUM EXTERNAL SIZE INCHES | MAXIMUM EXTERNAL SIZE mm | MODEL | BOLTING DOWN RECESSES | COLOUR | INLET SIZE | OUTLET SIZE* | MATERIAL | CAPACITY GALLONS | CAPACITY LITRES |
|---|---|---|---|---|---|---|---|---|---|---|
| TT300H | 70 x 43 x 46¼ | 1778 x 1092 x 1175 | Horizontal | Yes | Black | BSP 5" | BSP1½" | Medium Density Polyethylene | 300 | 1364 |
| TT300V | Dia. 57½ x 49¼ | Dia. 1461 x 1264 | Vertical | No | Black | BSP 5" | BSP 1½" | Medium Density Polyethylene | 300 | 1364 |
| TT550H | 88½ x 49½ x 51 | 2248 x 1257 x 1295 | Horizontal | No | Black | BSP 5" | BSP 1½" | Medium Density Polyethylene | 550 | 2500 |
| TT600V | Dia. 69 x 63 | Dia. 1753 x 1600 | Vertical | No | Black | BSP 5" | BSP 1½" | Medium Density Polyethylene | 600 | 2728 |

*Larger sizes available to special order

# FEED TROUGHS

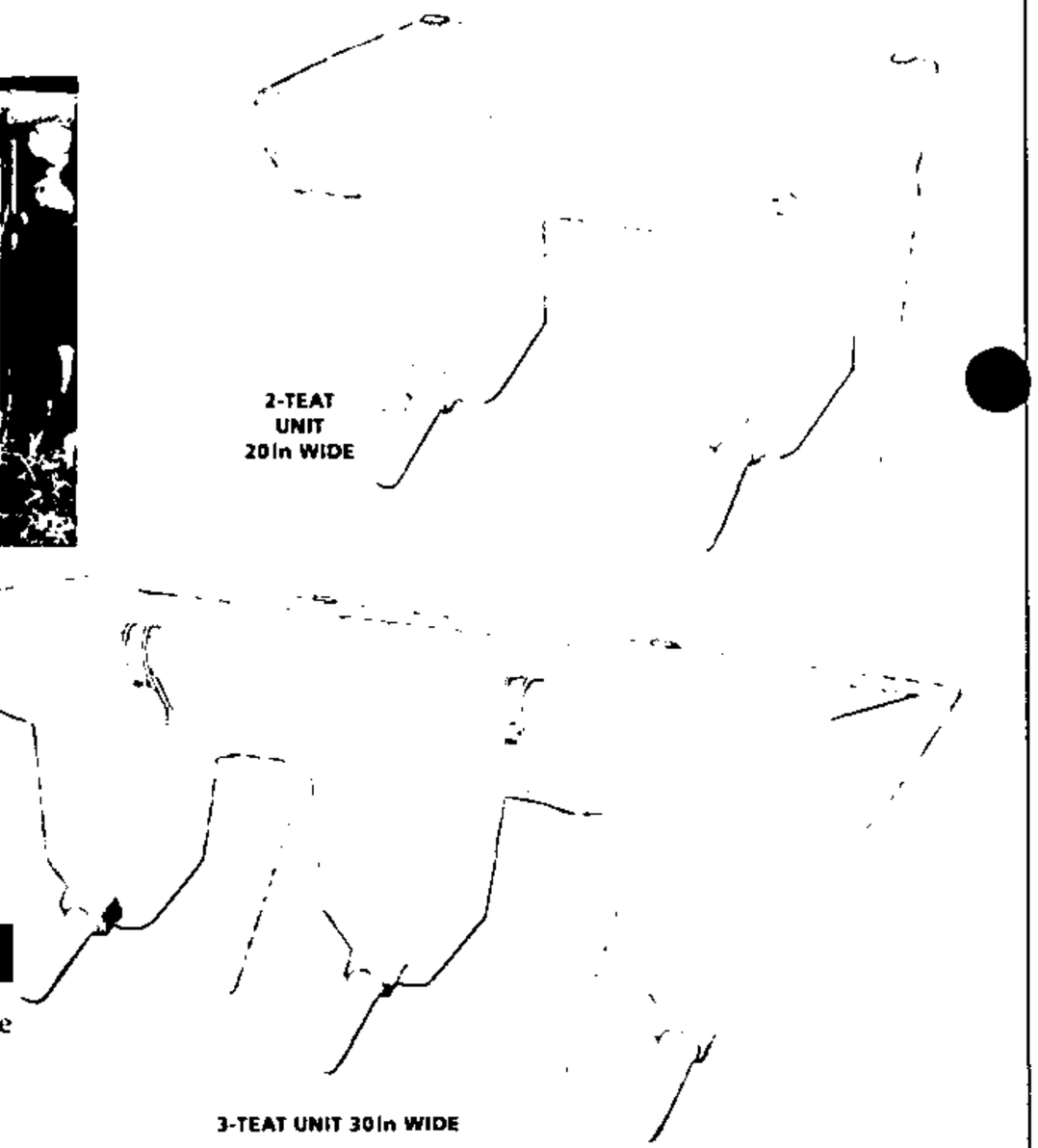



- One piece stress free moulding
- Lightweight and easy to handle
- Will not rust, rot, chip or flake
- Large internal radii with no sharp edges or corners – non injurious to livestock
- Smooth, hygienic and easily cleaned
- Protected against sunlight
- Frost resistant down to −40°C (−40°F)
- Suitable for sheep, goats, calves, cattle, and horses

| MODEL NUMBER | EXTERNAL SIZE, INCHES | EXTERNAL SIZE, mm | MATERIAL | COLOUR | CAPACITY GALLS | CAPACITY LITRES |
|---|---|---|---|---|---|---|
| LF1 | 39⅜ x 11¾ x 5¼ | 1000 x 298 x 133 | Medium Density Polyethylene | Black | 3 | 15 |
| LF2 | 78¾ x 11¾ x 5¼ | 2000 x 298 x 133 | Medium Density Polyethylene | Black | 7 | 33 |
| LF3 | 118 x 11¾ x 5¼ | 3000 x 298 x 133 | Medium Density Polyethylene | Black | 10 | 46 |
| LF4 | 59⅝ x 15 x 9⅛ | 1515 x 380 x 305 | Medium Density Polyethylene | Black | 16 | 73 |
| LF5 | 78¾ x 18 x 9 | 2000 x 460 x 230 | Medium Density Polyethylene | Black | 17 | 80 |
| LF6 | 19¾ x 16¼ x 12 | 500 x 413 x 305 | Medium Density Polyethylene | Black | 6 | 28 |

# LIVESTOCK REARING TROUGHS






## TROUGH

- The trough is a tough one-piece plastic moulding made of medium density, natural polyethylene
- It has smooth, easy-to-clean surfaces and is devoid of sharp edges.
- The plastic material is stabilised to protect it from degradation by ultraviolet light.
- Internal calibrations are marked in black with half pint and one litre graduations.
- Standard teat spacing is 12 inches.

## TEATS

- Units are precision-moulded plastic with easily replaced rubber teats.
- Cut-off valve.
- Sealing ring.
- Large retaining nut.

## BRACKETS

Steel brackets are powder coated white. They hook over the top or intermediate rails of any standard hurdle. They can be removed to wash the trough by releasing the quick action locking toggles (two brackets per trough).

These troughs are the ideal liquid feeder for rearing calves, lambs or kids in individual pens.They can be clipped to any standard hurdle.

New born animals – and orphans – learn to feed quickly because the teats are at the same, natural angle as the teats of the youngster's mother. Feeding from the start at the natural angle helps to develop the young animals's digestive system.

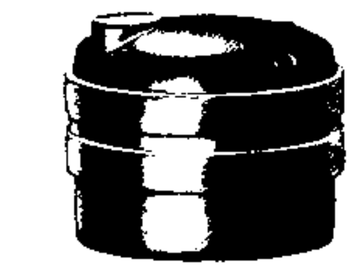
Colostrum, whole milk or warm-mixed milk substitute can be fed. Each teat unit is calibrated so rationing is easy and nothing is wasted. A weekly wash keeps the trough clean and hygienic.

These feeding troughs are a component of the Collins Calfmate calf rearing system developed and patented by Worcestershire farmer Mr C. John Collins. Rearers who use the 3-teat units for raising calves in individual pens can subsequently transfer them to the Collins Calfmate system, and obtain the benefits of better calves at lower costs which the system provides. A separate 6 page leaflet is available.

# STORAGE TANKS

## CLOSED TOP

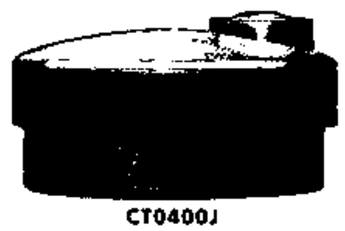
Suitable for siting above or below ground



CT0200J
200 GALLS
909 LITRES



CT MANHOLE COVER



CT0400J
400 GALLS
1818 LITRES



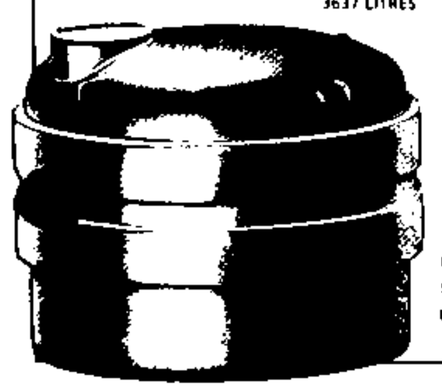
CT0600J
600 GALLS
2728 LITRES



CT0800J
800 GALLS
3637 LITRES



CT1000J
1000 GALLS
4546 LITRES

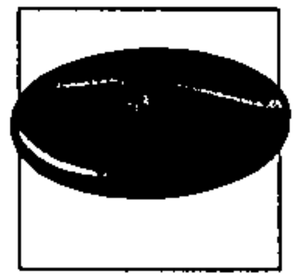


CT1500J
1500 GALLS
6819 LITRES

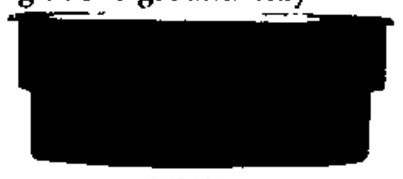
CT2000J
2000 GALLS
9080 LITRES

## OPEN TOP

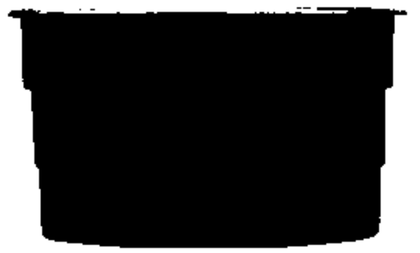
Suitable for siting above ground only



HN LID



HN0400J
400 GALLS
1818 LITRES



HN0600J
600 GALLS
2728 LITRES



HN0800J
800 GALLS
3637 LITRES



HN1000J
1000 GALLS
4546 LITRES

- Large Capacity
- Robust one piece moulding
- Smooth hygienic internal surface
- Will not rust or rot
- Free standing
- Easy to plumb
- Wide temperature range −40°C to +70°C
- Protected against sunlight

| MODEL NUMBER | EXTERNAL SIZE INCHES | EXTERNAL SIZE mm | MAXIMUM FILLING DEPTH IN | MAXIMUM FILLING DEPTH mm | MANHOLE INTERNAL DIA. IN | MANHOLE INTERNAL DIA. mm | CAPACITY GALLS | CAPACITY LITRES |
|---|---|---|---|---|---|---|---|---|
| CT0200J | O 51½ x 38¾ | O 1308 x 985 | 33⅛ | 843 | 21½ | 546 | 200 | 909 |
| CT0400J | O 75½ x 36¼ | O 1918 x 921 | 31¾ | 806 | 21½ | 546 | 400 | 1818 |
| CT0600J | O 75½ x 51½ | O 1918 x 1308 | 47 | 1194 | 21½ | 546 | 600 | 2728 |
| CT0800J | O 75½ x 66½ | O 1918 x 1689 | 62⅛ | 1578 | 21½ | 546 | 800 | 3637 |
| CT1000J | O 77½ x 82½ | O 1969 x 2096 | 69¼ | 1759 | 21½ | 546 | 1000 | 4546 |
| CT1500J | O 99 x 79 | O 2515 x 2007 | 66 | 1676 | 21½ | 546 | 1500 | 6819 |
| CT2000J | O 99 x 100¼ | O 2515 x 2560 | 88 | 2230 | 21½ | 546 | 2000 | 9080 |

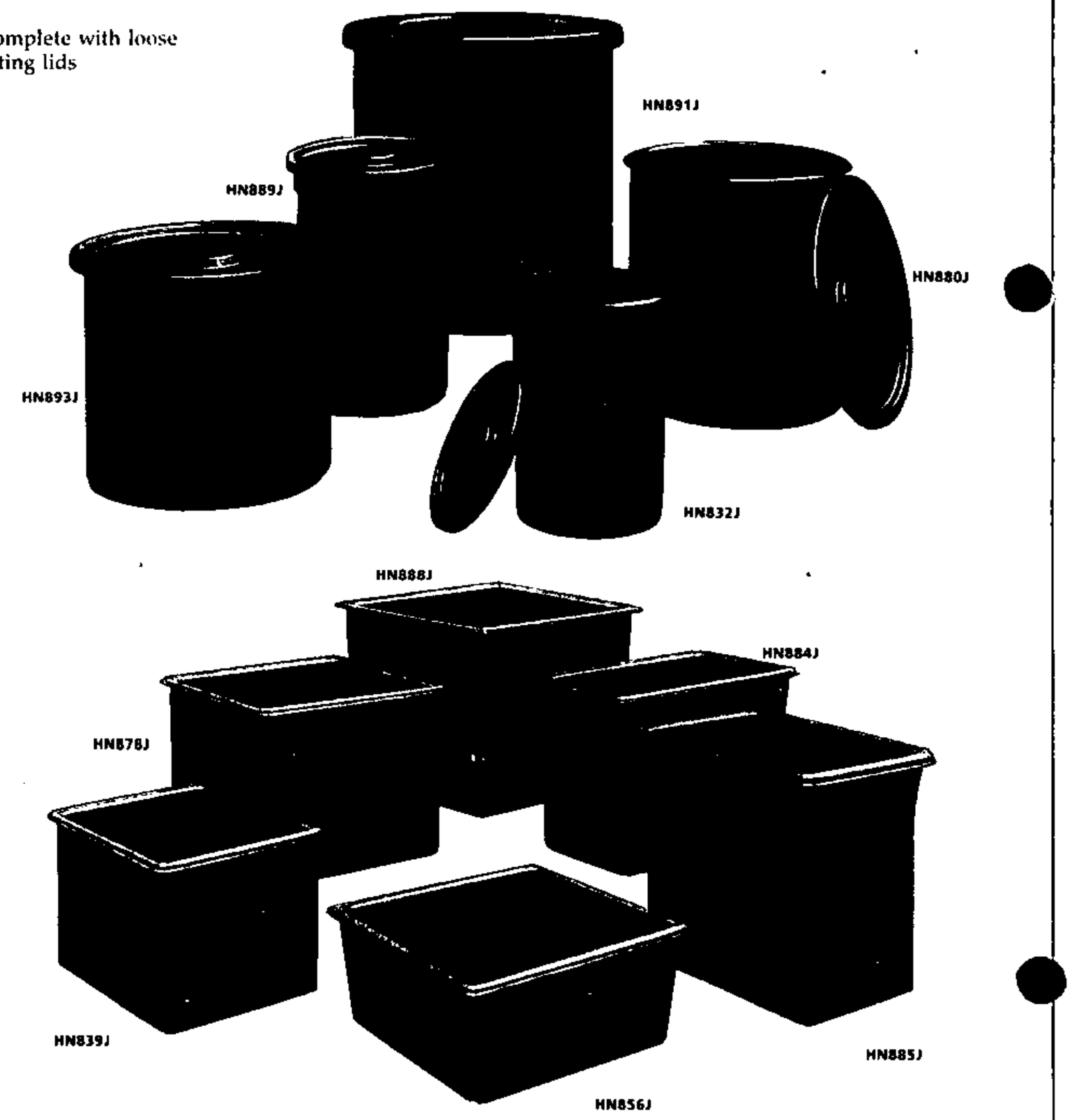
CT RANGE SUITABLE FOR POTABLE WATER WHEN FITTED WITH OPTIONAL BYELAW 30 KIT.

| MODEL NUMBER | EXTERNAL SIZE WITH LID INCHES | EXTERNAL SIZE WITH LID mm | CAPACITY GALLS | CAPACITY LITRES |
|---|---|---|---|---|
| HN0400J | O 81⅛ x 36 | O 2061 x 914 | 400 | 1818 |
| HN0600J | O 81⅛ x 51 | O 2061 x 1295 | 600 | 2728 |
| HN0800J | O 81⅛ x 66¼ | O 2061 x 1683 | 800 | 3637 |
| HN1000J | O 81⅛ x 75 | O 2061 x 1905 | 1000 | 4546 |

ALL HN MODELS COME COMPLETE WITH LID COVER.
ALL STORAGE TANKS MOULDED IN BLACK MEDIUM DENSITY POLYETHYLENE.

# STORAGE CONTAINERS

Complete with loose fitting lids




| MODEL NUMBER | EXTERNAL SIZE INCHES | EXTERNAL SIZE MM | CAPACITY GALLS | CAPACITY LITRES |
|---|---|---|---|---|
| HN856J* | 38½ x 38½ x 16½ | 978 x 978 x 419 | 65 | 295 |
| HN883J* | 28 x 27½ x 36¼ | 711 x 699 x 921 | 80 | 364 |
| HN839J* | 40 x 29 x 24½ | 1016 x 737 x 622 | 80 | 364 |
| HN884J* | 41 x 30¾ x 36½ | 1041 x 781 x 927 | 125 | 568 |
| HN885J* | 52¾ x 28¾ x 34¼ | 1340 x 730 x 870 | 150 | 682 |
| HN878J* | 43¾ x 43¾ x 33½ | 1111 x 1111 x 851 | 175 | 796 |
| HN888J* | 52 x 52 x 40¼ | 1321 x 1321 x 1035 | 325 | 1477 |

| MODEL NUMBER | EXTERNAL SIZE INCHES | EXTERNAL SIZE MM | CAPACITY GALLS | CAPACITY LITRES |
|---|---|---|---|---|
| HN832J | O 27½ x 34¾ | O 699 x 883 | 55 | 250 |
| HN889J | O 33 x 46 | O 838 x 1168 | 110 | 500 |
| HN893J | O 44 x 37¼ | O 1118 x 946 | 160 | 727 |
| HN880J | O 44 x 44½ | O 1118 x 1130 | 195 | 886 |
| HN891J | O 66 x 63 | O 1676 x 1600 | 625 | 2841 |

*WE RECOMMEND A BRACE FRAME OR SUPPORT STAND FOR THIS RANGE OF TANKS.
CIRCULAR TANKS ARE FREE STANDING.
ALL TANKS ARE MADE FROM MEDIUM DENSITY POLYETHYLENE.

# TROUGHS

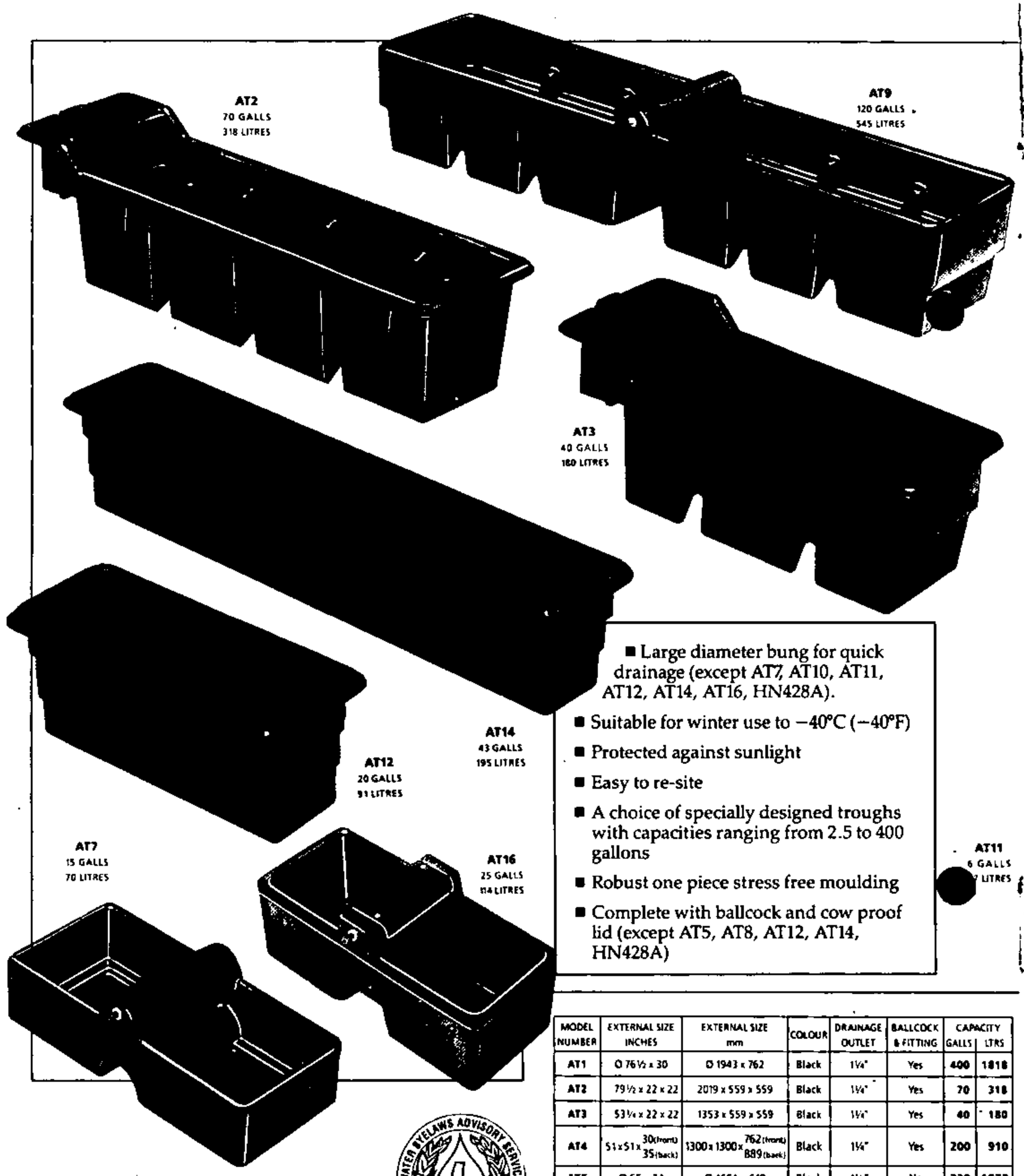



| MODEL NUMBER | EXTERNAL SIZE INCHES | EXTERNAL SIZE mm | COLOUR | DRAINAGE OUTLET | BALLCOCK & FITTING | CAPACITY GALLS | CAPACITY LTRS |
|---|---|---|---|---|---|---|---|
| AT9 | 102¼ x 24 x 23¼ | 2600 x 600 x 540 | Black | 1¼" | Yes | 120 | 545 |
| AT10 | 17⅜ x 16⅜ x 7½ | 450 x 416 x 190 | Black | No | Yes | 2.5 | 11 |
| AT11 | 21¾ x 18 x 9¾ | 552 x 457 x 254 | Black | No | Yes | 6 | 27 |
| AT12 | 39½ x 15¾ x 15¾ | 997 x 400 x 400 | Black | No | No | 20 | 91 |
| AT14 | 79 x 15¾ x 15¾ | 2007 x 400 x 400 | Black | No | No | 63 | 195 |
| AT15 | O 56¾ x 26½ | O 1440 x 674 | Black | 1¼ | Yes | 150 | 682 |
| AT16 | 39½ x 17 x 18 | 1000 x 430 x 455 | Black | No | Yes | 25 | 114 |
| HN428A | O 48¾ x 12 | O 1240 x 305 | Black | No | No | 55 | 250 |

ALL TROUGHS ARE MADE FROM MEDIUM DENSITY POLYETHYLENE.

**Paxton** MANUFACTURE DRINKING TROUGHS TO BS 3445 PART 1

# DRINKING

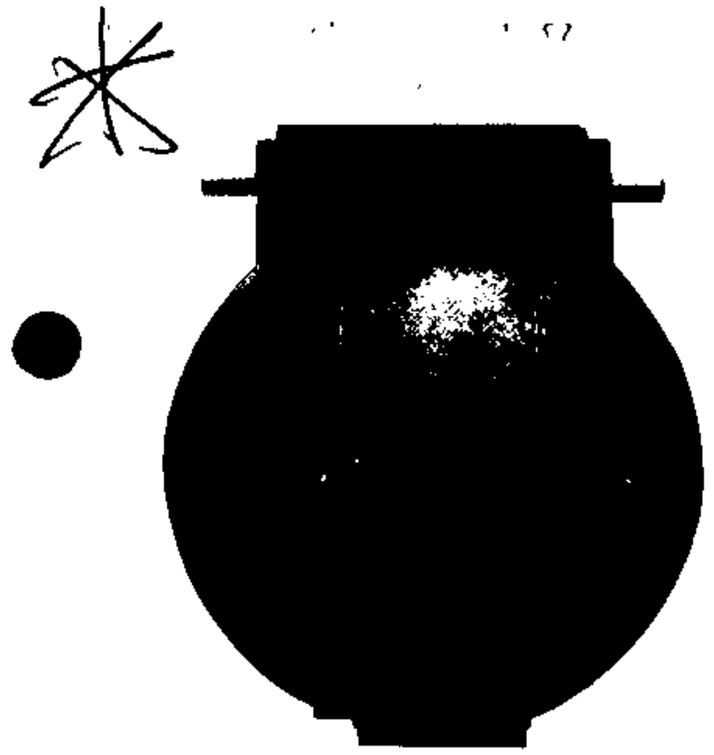



- Large diameter bung for quick drainage (except AT7, AT10, AT11, AT12, AT14, AT16, HN428A).
- Suitable for winter use to −40°C (−40°F)
- Protected against sunlight
- Easy to re-site
- A choice of specially designed troughs with capacities ranging from 2.5 to 400 gallons
- Robust one piece stress free moulding
- Complete with ballcock and cow proof lid (except AT5, AT8, AT12, AT14, HN428A)

| MODEL NUMBER | EXTERNAL SIZE INCHES | EXTERNAL SIZE mm | COLOUR | DRAINAGE OUTLET | BALLCOCK & FITTING | CAPACITY GALLS | CAPACITY LTRS |
|---|---|---|---|---|---|---|---|
| AT1 | Ø 76½ x 30 | Ø 1943 x 762 | Black | 1¼" | Yes | 400 | 1818 |
| AT2 | 79½ x 22 x 22 | 2019 x 559 x 559 | Black | 1¼" | Yes | 70 | 318 |
| AT3 | 53¼ x 22 x 22 | 1353 x 559 x 559 | Black | 1¼" | Yes | 40 | 180 |
| AT4 | 51 x 51 x 30(front) 35(back) | 1300 x 1300 x 762(front) 889(back) | Black | 1¼" | Yes | 200 | 910 |
| AT5 | Ø 65 x 24 | Ø 1651 x 610 | Black | 1¼" | No | 220 | 1075 |
| AT6 | Ø 61¼ x 30 | Ø 1560 x 762 | Black | 1¼" | Yes | 200 | 910 |
| AT7 | 39½ x 16¾ x 13 | 997 x 425 x 330 | Black | No | Yes | 15 | 70 |
| AT8 | Ø 52¼ x 24¼ | Ø 1330 x 620 | Black | 1¼" | No | 130 | 600 |

# SEPTIC AND EFFLUENT TANKS

## SEPTIC TANK



Designed to BS6297 (1983) specification and meets all the Regulations of Building Control.

Rotationally moulded from premium grade medium density polyethylene to ensure tanks are robust and have a high impact resistance.

Lifting eyes incorporated to aid handling and installation.

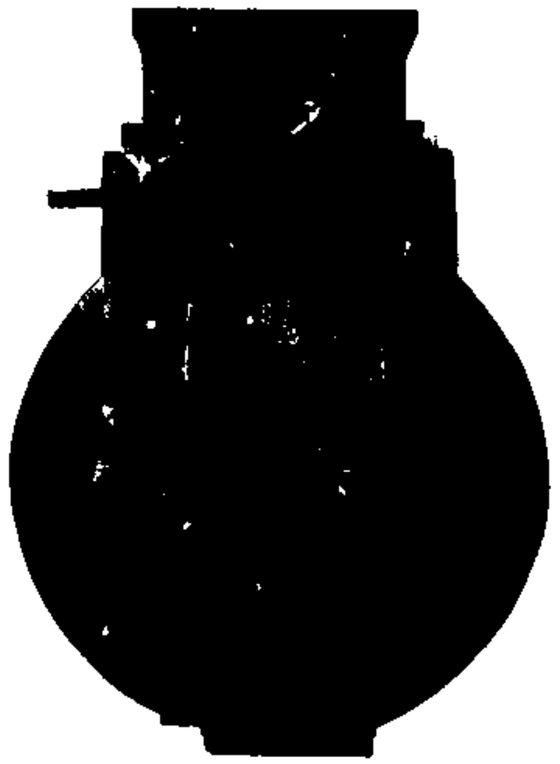
No chemicals required for septication.

Designed with a wide neck to provide easy access for desludging.

Inert to all commonly encountered chemicals.

Agrément Certificate No. 902533.

## EFFLUENT TANK



Silage Effluent is one of the most harmful pollutants that can be discharged into watercourses. It is acidic and has a very high biochemical oxygen demand (B.O.D.). In severe cases it can wipe out entire fish stocks and render a stretch of river sterile.

The economical solution to this polution problem is to install an Effluent tank to retain the effluent until such times as it can be safely discharged.

Effluent tanks are manufactured by the same process as Septic tanks, but do not have internal baffles or an outlet pipe. They are easily handled and quickly installed by the same method as described for septic tanks.

Extra capacity can be obtained by linking two or more tanks together.

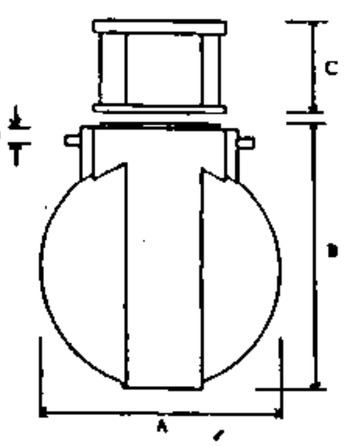
## SITING AND INSTALLATION

British Standard current code of practice BS6297, 1983, now recommends that septic tanks should not be closer than 25 metres from a dwelling. Care should also be taken to ensure that the tank is not too near a road or driveway where it could be subject to heavy loads, but consideration must be given to access for service vehicles during installation and desludging.

The standard tanks have been designed for an invert depth (ground level to the bottom of inlet pipe) of 2'3" (0.69 metres). Other depths can be accommodated by incorporating extension pieces available to special order.

For full installation instructions see our technical literature.

Before commencing installation, plans must be submitted to the Local Authority, who may be able to offer advice if needed.



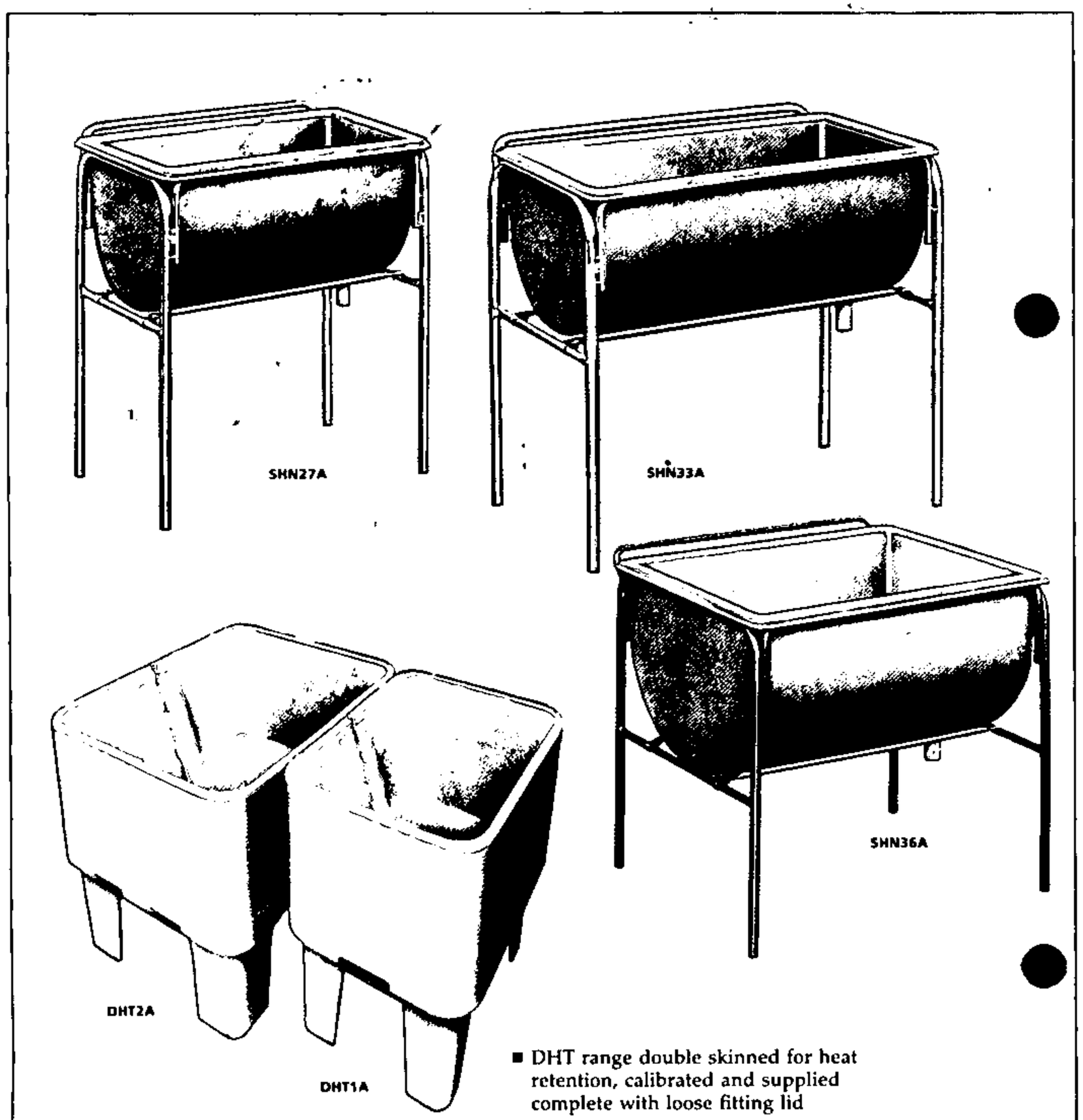

## DIMENSIONS & CAPACITIES

Septic and effluent tanks are available in 600 gallon (2730 litre) 800 gallon (3635 litre) and 1,000 gallon (4546 litre) versions.

| TYPE | MODEL NUMBER | CAPACITY GALLS | CAPACITY LITRES | PERSON USAGE NORMAL | PERSON USAGE HEAVY* | DIMENSIONS FEET A | FEET B | FEET C | FEET D | METRES A | METRES B | METRES C | METRES D |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SEPTIC | ST600 | 600 | 2730 | 4 | 3 | 5'9" | 6'6" | 1'6" | 0'6" | 1.76 | 1.96 | 0.46 | 0.16 |
| SEPTIC | ST800 | 800 | 3635 | 9 | 6 | 6'3" | 7'0" | 1'6" | 0'7.5" | 1.94 | 2.12 | 0.46 | 0.19 |
| SEPTIC | ST1000 | 1000 | 4546 | 14 | 10 | 6'3" | 7'9" | 1'6" | 0'7.5" | 1.94 | 2.37 | 0.46 | 0.19 |
| EFFLUENT | ET600 | 600 | 2730 | N/A | N/A | 5'9" | 6'6" | 1'6" | 0'6" | 1.76 | 1.96 | 0.46 | 0.16 |
| EFFLUENT | ET800 | 800 | 3635 | N/A | N/A | 6'3" | 7'0" | 1'6" | 0'7.5" | 1.94 | 2.12 | 0.46 | 0.19 |
| EFFLUENT | ET1000 | 1000 | 4546 | N/A | N/A | 6'3" | 7'9" | 1'6" | 0'7.5" | 1.94 | 2.37 | 0.46 | 0.19 |

*HEAVY USAGE INCLUDES WASTE DISPOSAL.

# DAIRY HYGIENE TROUGHS




■ DHT range double skinned for heat retention, calibrated and supplied complete with loose fitting lid

| MODEL NUMBER | EXTERNAL SIZE INCHES | EXTERNAL SIZE mm | COLOUR | MATERIAL | | OUTLET & PLUG DIA. | CAPACITY | |
|---|---|---|---|---|---|---|---|---|
| | | | | TROUGH | STAND | | GALLS | LITRES |
| **SHN27A** | 30½ x 23 x 33¾ | 775 x 584 x 857 | Blue | Medium Density Polyethylene | Galvanised Mild Steel | 1¾" | **20** | **91** |
| **SHN33A** | 37½ x 23½ x 33¾ | 950 x 597 x 857 | Blue | Medium Density Polyethylene | Galvanised Mild Steel | 1¾" | **29** | **132** |
| **SHN36A** | 38¼ x 30 x 33¾ | 970 x 760 x 857 | Blue | Medium Density Polyethylene | Galvanised Mild Steel | 1¾" | **46** | **209** |
| **DHT1A** | 30 x 21⅝ x 33 | 760 x 550 x 838 | Blue | Medium Density Polyethylene | Complete with Lid | 1¾" | **26.4** | **120** |
| **DHT2A** | 37 x 30 x 33 | 940 x 760 x 838 | Blue | Medium Density Polyethylene | Complete with Lid | 1¾" | **50** | **227** |

STANDS ONLY CODED **S27A**, **S33A**, **S36A** AND TROUGH BODIES CODED **HN27A**, **HN33A** AND **HN36A** ARE AVAILABLE SEPARATELY. SEE PRICE LIST FOR DETAILS.

# NEFIT FROM A LITTLE PAXTON INGENUITY



## FREE-STANDING STORAGE TANKS

Paxton Storage Tanks give every farmer the capacity to securely store water, effluent, liquid fertilisers, animal feeds and powders. Paxton closed-top and loose lidded tanks offer optimum capacity in minimum space. With capacities up to 2000 gallons Paxton tanks provide the ultimate facility in bulk storage. Tanks are moulded in durable, maintenance free polyethylene and can be easily adapted to accept a wide range of outlet fittings.

## SEPTIC & EFFLUENT TANKS



In effluent control Paxton tanks offer two major benefits. First, use of lightweight mouldings make them easier to handle on site. And secondly, these tanks which are manufactured to British Standard are durable and totally rot and rust proof and offer much greater security against leakage and contamination of land and watercourses.

## OIL & DIESEL STORAGE TANKS

Paxton Oil and Diesel Tanks are manufactured as a one-piece stress-free moulding, guaranteeing strength and reliability. They are easy to handle, won't rot or rust and are maintenance free. Ideal for all sitings they are protected against sunlight and frost to −40°C.

## DAIRY HYGIENE & SUNDRIES

The properties of polyethylene which make it so versatile for farm troughs and tanks also make it a versatile and durable material for hygiene troughs, and a host of other useful items around the farm.



THE FUTURE IN FARMING

# Paxton

**SPECIAL PRODUCTS DIVISION**

At Paxton Special Products Division we pay a lot of attention to developments in farming, to bring you the maximum benefits and savings from today's moulding technology to be better equipped for the future in farming.

Our rapidly-expanding range of farm equipment combines the highest standards of hygiene with the durability to withstand the rigours of the outdoors and animals, promising years of trouble-free service.



# EVERY FARM CAN BE

## ALL-WEATHER DRINKING & WATERING

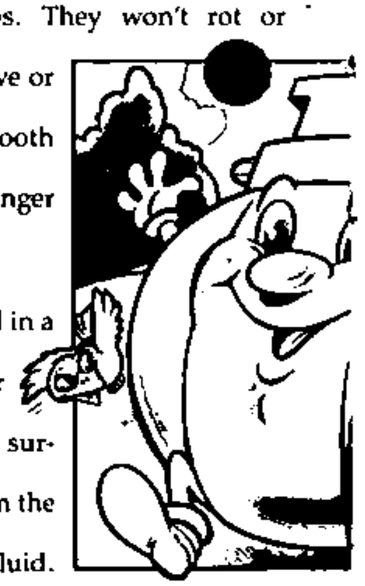
With sizes to suit all animals, at all ages, and in all numbers, Paxton Drinking Troughs stand apart for hygiene, versatility and endurance. Paxton Drinking Troughs are robust, one-piece mouldings designed for outstanding durability and frost resistance with animal-proof fittings and fixtures. Capacities to 400 gallons with free standing and wall hanging models to suit open field, corner sites and pens.

## SUPER-HYGIENIC FEEDING TROUGHS & BOWLS

Paxton Feeding Troughs offer safe, hygienic conditions throughout a long life. There are no sharp corners to cause injury, and tough one-piece mouldings will stand up to hooves and horn and retain their easy-clean surfaces. Hanging and free-standing models in sizes and capacities to suit all livestock needs.

## DURABLE SHEEP DIPS & FOOT ROT BATHS

For ease of siting and convenience there is nothing to match Paxton Sheep Dips. They won't rot or rust so can be safely sited above or below ground and with smooth moulded edges there is no danger of injury to livestock.

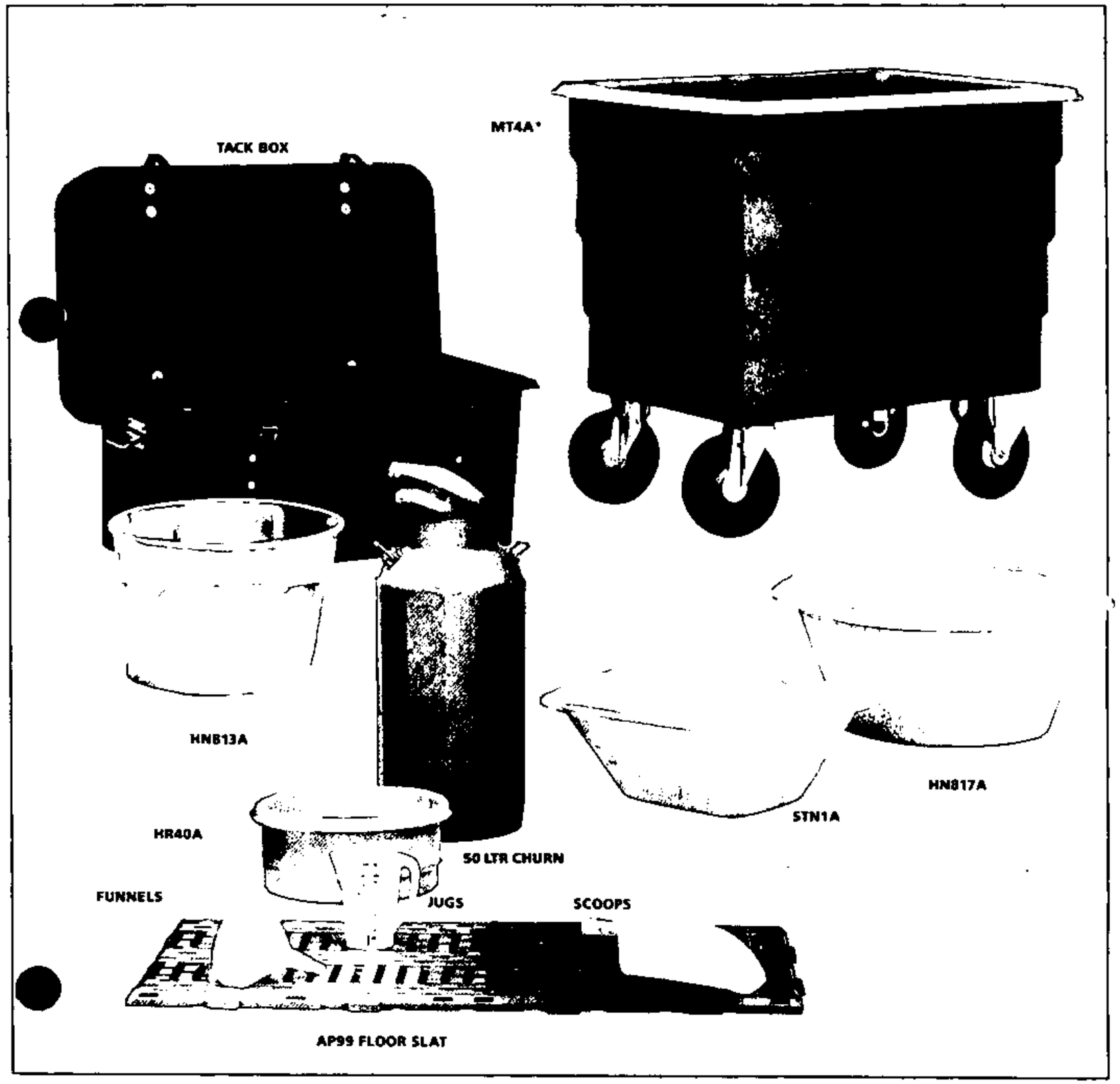


Foot Rot Baths are provided in a variety of sizes and styles for sheep or cattle with non-slip surfaces specially designed to open the foot and allow penetration of fluid.

## BETTER EQUIPPED FOR



# SUNDRIES




| PRODUCT | MODEL NUMBER | COLOUR | MATERIAL | CAPACITY PINTS | GALLS | LITRES |
|---|---|---|---|---|---|---|
| Funnels | 5" MOUTH | Natural | PP | – | – | – |
| | 6¼" MOUTH | Natural | PP | – | – | – |
| | 8¼" MOUTH | Natural | PP | – | – | – |
| Jugs | SP578 | Natural | PP | 1 | | 0.56 |
| | SP580 | Natural | PP | 2 | | 1.13 |
| | SP527 | Natural | PP | 3½ | | 2 |
| | GEA | Natural | LDPE | 4½ | | 2.5 |
| Scoops | CA100M | Natural/White | PP | – | – | – |
| | Small | Natural/White | PP | – | – | – |

MDPE – MEDIUM DENSITY POLYETHYLENE. PP – POLYPROPYLENE.
LDPE – LOW DENSITY POLYETHYLENE.

| MODEL NUMBER | MAX. EXTERNAL SIZE IN INCHES | MAX. EXTERNAL SIZE IN MM | COLOUR | MATERIAL | CAPACITY GALLS | LITRES |
|---|---|---|---|---|---|---|
| MT4A* | 39 x 27 x 34 | 991 x 686 x 864 | Grey | MDPE | 67 | 305 |
| HN817A | Ø 25¼ x 10½ | Ø 642 x 267 | Blue | MDPE | 8 | 36 |
| HN813A | Ø 16¼ x 10½ | Ø 413 x 267 | Blue | LDPE | 5 | 23 |
| STN1A | 19¾ x 18¼ x 6½ | 502 x 464 x 165 | Blue | MDPE | 4 | 18 |
| HR40A | Ø 16¾ x 7 | Ø 426 x 178 | Blue | MDPE | 4 | 18 |
| Tack Box | 33⅛ x 20¼ x 13⅛ | 858 x 515 x 340 | Brown | MDPE | 25 | 116 |
| AP99 | 47¼ x 23⅛ x 1 | 1200 x 594 x 25 | Red or Green | LDPE | – | – |
| 50 Ltr Churn | Ø 13¾ x 30 | Ø 350 x 762 | Blue | MDPE | 11 | 50 |

*FITTED WITH 6 INCH DIAMETER, 2 FIXED, 2 SWIVEL CASTORS.

DISTRIBUTOR


Paxton

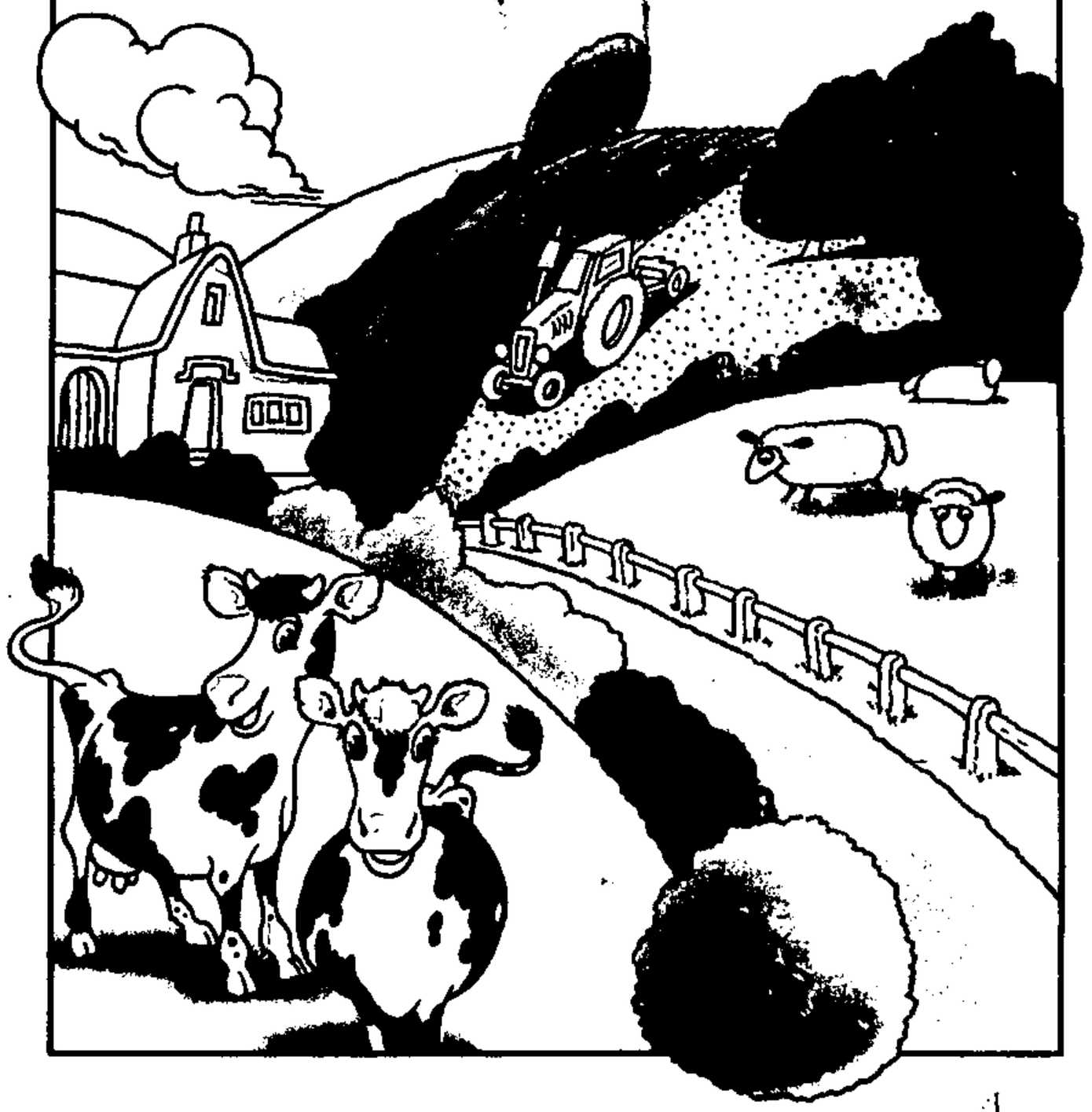
SPECIAL PRODUCTS DIVISION
PILLORY STREET
NANTWICH CHESHIRE CW5 5BP
TELEPHONE: NANTWICH (0270) 623231
TELEX: 337377 FAX: (0270) 624417

A member of the McKechnie Group



Due to our policy of continuous product development, we reserve the right to alter any specification without prior notification.


# PAXTON THAN A STOCK ANSWER FOR STOCK FARMERS



Paxton
Paxton
Paxton

SPECIAL PRODUCTS DIVISION

BETTER EQUIPPED FOR THE FUTURE IN FARMING

Cond 8.

## Smith, Sylvia DRN

**From:** Jermaine Daniels [Jermaine.Daniels@eas.sefton.gov.uk]
**Sent:** Tuesday, September 19, 2006 10:47 AM
**To:** Smith, Sylvia DRN
**Subject:** Planning application reference: 01/00623/FUL

**Attachments:** KN06 020 MEASemailmemo for Sandy Lane Farm, Cut Lane, Knowsley.doc

KN06 020 \Semailmemo for Sa

Sylvia,

Please find attached Merseyside EAS comments on the above planning application. If you have any further queries please do not hesitate to contact me.

Kind regards

Jermaine Daniels
Environmental Appraisal Officer

Merseyside Environmental Advisory Service Bryant House Liverpool Road North Maghull
Merseyside
L31 2PA

Tel: 0151 9344936
Fax: 0151 9344955
email: jermaine.daniels@eas.sefton.gov.uk

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Merseyside Environmental Advisory Service
Bryant House
Liverpool Road North
Maghull
L31 2PA

# M E M O

01/00632/FUL
KN06/020
C:\Documents and Settings\sefuser\My Documents\Development Control\Planning Application not including Environmental Statement\Knowsley\KN06 020 MEASemailmemo for Sandy Lane Farm, Cut Lane, Knowsley.doc
19 September 2006

TO: Sylvia Smith
Planning Services
Knowsley Council

FROM: Jermaine Daniels
Environmental Appraisal Officer

**Erection of 1 no. livestock building 8 no. polytunnels and caravan for temporary residence Sandy Lane Farm, Cut Lane, Knowsley**

Thank you for consulting Merseyside EAS on the above planning application. A site visit was undertaken with Lee Osborne and Jane Gowing on 29 August 2006. We make the following comments.

1. Our main concern at this time is with respect to the proper cutting, storage and placing of topsoil in order to prevent soil loss and minimise any adverse effects during the soil engineering operation that has already commenced on site. During the site visit it came as a surprise the magnitude of soil engineering works that had been undertaken on the land to be used for the polytunnels and it was considered that the works could possibly warrant a new planning application. We will be guided by our planning colleagues on this issue. However, whilst we are aware that this proposal has been subjected to a rigorous and protracted consultation process by both Knowsley Council and Merseyside EAS we still consider the information submitted to be inadequate on the basis that it only partially satisfies a part of condition 8 with respect to the reuse of soil resources.

2. With reference to Condition 8 of the planning approval dated 30 November 2001 (Application Ref: 01/00632/FUL) we advise that the applicant has not submitted a scheme for the stripping of the topsoil on the site of the access road, livestock buildings and the areas of hardstanding; even though the area for the hardstanding is partially complete. The plan submitted (Ref: 1078/01 Rev A) has only confirmed that the

excavated soil resources will be beneficially reused around areas of the site for soil improvement purposes.

3. It is important to note that the preserving of topsoil as a resource is not simply about keeping the soil on site, but ensuring that its structure and quality are not loss during the stripping, storage and spreading process. It is not clear on the plans to what depth the topsoil goes. This will be important in ensuring that topsoil is not mixed with subsoil during the engineering works. It should also be noted that spreading, or placing to too great a depth will damage the structure of the topsoil. **In order to fully comply with the requirement of Condition 8 we advise that it is essential for the applicant to submit a methodology for the stripping, storage (if required) and placing of the excavated topsoil. This information is essential in demonstrating to us that the applicant is capable of managing the soil resources on the site.**

We would be happy to provide further information upon request

Contact Officer: Jermaine Daniels
Tel: 0151 934 4936
Email: jermaine.daniels@eas.sefton.gov.uk

S5

ENVIRONMENT AGENCY

**Our Ref :** SO/2001/013657-2/1
**Your Ref :** 01/00632/FUL

**Date :** 22 September 2006

Director - Regeneration & development,
P.O.Box 26
Yorkon Buildings
Archway Road.
Huyton
L36 9FB

Knowsley M.B.B.
Dept. Regeneration & Neighbourhoods
26 SEP 2006 2138
Planning & Transportation Division

FAO Sylvia Smith.

**ERECTION OF 1 LIVESTOCK BUILDING,8 POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**
**SANDY LANE FARM, SANDY LANE, KIRKBY**

7a

Thank you for referring the details submitted in relation to condition 8 of the above planning approval.

The Environment Agency has been in discussions with the developer Ferguson Properties Ltd and advised the following:

A discharge information form will be required for the septic tank if a discharge is made to a soakaway. If the discharge is to a surface watercourse a consent to discharge will be required. (7)

The construction of hardstanding or building base areas using waste material will require the registration of a waste exemption under the Waste Management Licensing Regulations (As amended) 2005. (8)

If aggregate is to be produced from waste for the purpose of constructing hardstanding or building base areas will require an exemption to be registered under the Waste Management Licensing Regulations (As amended) 2005.

We would have no objections to the discharge of condition 8.

Yours faithfully

**HELEN BARRETT**
**Planning Liaison Officer**

**Environment Agency**
Appleton House, 430 Birchwood Boulevard, Birchwood, Warrington, Cheshire, WA3 7WD, Tel no:01925 543363, Fax no:01925 852260

Cond 8.

**INTERDEPARTMENTAL MEMORANDUM**

**FROM:** Head of Environmental Health & Consumer Protection (John Baxter)

**OUR REF:**

**TO:** Head of Planning Services (FAO Sylvia Jones)

**YOUR REF:** PS/DC/SS/01/00632/FUL

**DATE:** 2nd June 2004.

**SUBJECT MATTER:** ERECTION OF 1 NO. LIVESTOCK BUILDING ETC APPLICAION NUMBER 01/00632/FUL

---

This Division has no observations to make on the information submitted to discharge condition 8 of the planning consent other than to say that it is my understanding that E.A.S. requested the condition to protect the soil resource.

John Baxter
Environmental Protection Manager

16 SO
-7 JUN 2004
SS
Passed to
Ack
Reply
NPL

**Please ask for:** Sylvia Smith

**Tel No:** 0151 443 2341

**Fax No:** 0151 443 2370

**Email:** sylvia.smith@knowsley.co.uk

Environmental Advisory Service
Bryant House
Liverpool Road North
Maghull
Merseyside
L31 2PA

Our Ref: 01/00632/FUL

Date 11 September 2006

For the attention of Jermaine Daniels

Dear Mr Daniels

**RE: ERECTION OF 1 NO LIVESTOCK BUILDING, 8 NO. POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**
**SANDY LANE FARM, CUT LANE, KNOWSLEY**

Please find enclosed a copy of the decision notice, a copy of the letter from KDP Architects and drawings 1078/01 Rev A and 1078/02 Rev A regarding condition 8 on the above planning approval.

Could I pleas have any comments within the next 10 working days.

If you require any further information please do not hesitate to contact me on the above number.

Yours sincerely

SYLVIA SMITH
Assistant Planner

**Please ask for:** Sylvia Smith

**Tel No:** 0151 443 2341

**Fax No:** 0151 443 2370

**Email:** sylvia.smith@knowsley.co.uk

EnvironmentAgency
Appleton House
430 Birchwood Boulevard
Birchwood
Warrington
WA3 7WD

Our Ref: 01/00632/FUL

Date 11 September 2006

For the attention of Tom Glyn-Jones

Dear Mr Glyn-Jones

**RE: ERECTION OF 1 NO LIVESTOCK BUILDING, 8 NO. POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**
**SANDY LANE FARM, CUT LANE, KNOWSLEY**

Please find enclosed a copy of the decision notice, a copy of the letter from KDP Architects and drawings 1078/01 Rev A and 1078/02 Rev A regarding condition 8 on the above planning approval.

Could I please have any comments within the next 10 working days.

If you require any further information please do not hesitate to contact me on the above number.

Yours sincerely

SYLVIA SMITH
Assistant Planner

Cond. 8.

Environmental Advisory Service, Bryant House
Liverpool Road North, Maghull, Merseyside
L31 2PA. Tel: 0151-934-Extn:

| | |
|---|---|
| Alan Jemmett, PhD, MBA, Manager | 4950 |
| Contaminated Land Specialists | 4956 |
| Ecologist | 4954 |
| Environmental Scientist | 4953 |
| Forester/Woodland Ecologist | 4952 |
| General Enquiries | 4951 |
| Fax | 4955 |
| E-mail: eas@sefton.u-net.com | |


1567
27 MAY 2004

| | |
|---|---|
| Passed to | SS |
| Ack | |
| | ML |

Environmental Advisory Service

**MEMO**

Your Ref PS/DC/SS01/00632/FUL
File Ref Kn01/048
W/P Ref Pcla/myd/kn/kn01048a
Date 24th May 2004

TO: Sylvia Smith
Development Control
Knowsley Council.

FROM: Lucy Atkinson 4.6.04. Copy of letter sent to app.

**Proposed Erection of 1 No. Livestock Building, 8 No. Polytunnels and Caravan for Temporary Residence at Sandy Lane Farm, Cut Lane, Knowsley**

Thank you for consulting EAS on the additional information (dated 10th May 2004) provided by the applicant for the above proposed development. We make the following comments.

1. We would not have anticipated that the farmer would employ a contractor to remove the topsoil, given that he would have the necessary equipment for the job available for his daily operations. Therefore, this element of the letter addresses planning condition 8.

2. Our main concerns were with respect to the proper storage of the topsoil in order to prevent soil loss and minimise damage to the soil structure during storage. We were also concerned that the soil resource should be beneficially used elsewhere on the farmland. The applicant gives no indication in their letter as to how the soil is stored, and hints that the soil will remain stockpiled until the Council agrees it can be used for filling holes to improve the quality of the field.

3. Given that it appears that soil stripping and stockpiling has already taken place, we would advise that as long as the topsoil is stored in a separate mound from other soils and does not exceed 3 metres in height, and is shaped to avoid collection of water in surface undulations then this should be satisfactory to address planning condition 8.

4. The applicant needs to inform the Council where the topsoil will be used and for what purposes. The applicant states that it will be used to fill in various holes and improve the quality of the field. A plan should be submitted showing the location of the storage mound, and the fields/areas of field in which he intends to spread it. The applicant should also notify the Council whether the soil is being to fill in holes, if so giving an indication of dimensions and number, or whether it is being generally spread to raise soil quality, if so to what thickness. Once this information is provided by the applicant we would be pleased to comment further.

We would be pleased to comment further on any point at your request.

Lucy Atkinson

ACESCO
ACERIAS DE COLOMBIA S.A.





# Z PURLINS



## TECHNICAL FORMS

**PROPIEDADES MECANICAS DE LA SECCION COMPLETA**

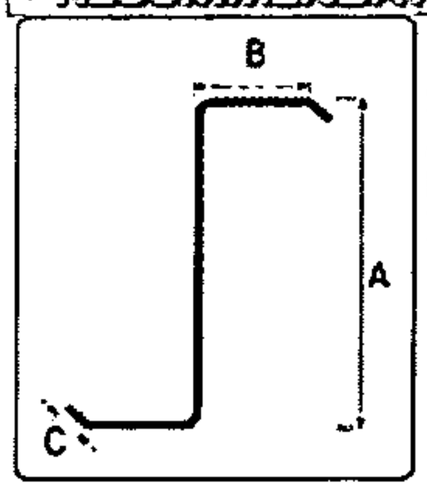
**STRUCTURAL "Z" PURLIN**

| Purlin reference | Thickness (mm) | Calibre # | A (mm) | B (mm) | C (mm) | Weight(kg/ml) |
|---|---|---|---|---|---|---|
| PHR-Z 160 x 60 - 3.0 mm | 3.0 | 11 | 160 | 60 | 20 | 7.16 |
| PHR-Z 160 x 60 - 2.5 mm | 2.5 | 12 | 160 | 60 | 20 | 5.97 |
| PHR/PAG-Z 160 x 60 - 1.9 mm | 1.9 | 14 | 160 | 60 | 20 | 4.53 |
| PHR/PAG-Z 160 x 60 - 1.5 mm | 1.5 | 16 | 160 | 60 | 20 | 3.58 |
| PHR/PAG-Z 160 x 60 - 1.2 mm | 1.2 | 18 | 160 | 60 | 20 | 2.86 |
| PHR-Z 220 x 80 - 3.0 mm | 3.0 | 11 | 220 | 80 | 20 | 9.54 |
| PHR-Z 220 x 80 - 2.5 mm | 2.5 | 12 | 220 | 80 | 20 | 7.95 |
| PHR/PAG-Z 220 x 80 - 1.9 mm | 1.9 | 14 | 220 | 80 | 20 | 6.04 |
| PHR/PAG-Z 220 x 80 - 1.5 mm | 1.5 | 16 | 220 | 80 | 20 | 4.77 |
| PHR/PAG-Z 220 x 80 - 1.2 mm | 1.2 | 18 | 220 | 80 | 20 | 3.82 |
| PHR-Z 305 x 80 - 3.0 mm | 3.0 | 11 | 305 | 80 | 25 | 11.78 |
| PHR-Z 305 x 80 - 2.5 mm | 2.5 | 12 | 305 | 80 | 25 | 9.81 |
| PHR/PAG-Z 305 x 80 - 2.0 mm | 2.0 | 14 | 305 | 80 | 25 | 7.46 |

PHR: Black Purlin
PAG: Galvanized Purlin

Top

## RECOMMENDATIONS OF USE




Standard: ASTM A1011 -33 - 33 PHR Degree.
ASTM A1008 - 33 - PAG Degree
Fy= 23.2 kg/ mm2 - Fu= 36.6 kg/mm2
It complies with NSR-98 Standard

Top

( - Cond 10.

# MEMORANDUM

From: Planning Services Division
Carl Salisbury – Tel: 2281

Our Ref: 01/00632/FUL

Your Ref:

Date: 20 June 2006

To: Sylvia Smith

Subject: Sandy Lane Farm, Cut Lane, Knowlsey

Further to our recent discussion I assessed the site on the 15 June 2006 and can confirm that no protective fencing is in place.

will look at again

Carl Salisbury
Arboricultural Officer



Mr J Ferguson
43 Ruskin Way
Huyton
Knowsley
L36 5UJ

Our Ref: PS/LO/01/00632/FUL

Date: 10 March 2006

Dear Mr Ferguson

**TOWN AND COUNTRY PLANNING ACT 1990**
**APPLICATION 01/00632/FUL**
**ERECTION OF 1 NO. LIVESTOCK BUILDING, 8 NO. POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**
**LAND AT SANDY LANE FARM, CUT LANE, KIRKBY**

I refer to your letter dated 27 February 2006 relating to the above subject and enclosures therein and previous correspondence from you concerning the same.

With regard to the approved development where details have already been agreed development would need to be in accordance with those details. Where you wish to change those agreed details submissions should be made and agreement reached before development commences. Where details are required and have not been agreed this should occur prior to the commencement of development. With regard the conditions I offer the following information (the numbers correspond to the appropriate condition):-

2. Eternit P6 cladding in natural grey colour has been agreed for the livestock building.

3. The surfacing of the access road and the access have been agreed as acceptable. Details of any changes to the surfacing should be submitted to the Local Planning Authority for assessment and agreement reached prior to any works commencing. The access road should not be widened or lengthened in any way to that approved.

4. The 100 no. fruit trees (Bramley Apple, Victoria Plum and Greengage) proposed of 12cm girth planted at 3.3 metre spacings in double staggered rows has been accepted. Details of any proposed changes to the landscaping scheme should be submitted to the Local Planning Authority and agreement reached prior to any works commencing. The hedging was marked on the submitted scheme.

6. The temporary caravan only had permission until 31 August 2005. Therefore if you propose a caravan a further planning application is required. In order that a full assessment can be made as to the suitability of any such planning application details should be submitted which demonstrate clear evidence of a firm intention and ability to develop the enterprise. If such a planning application were granted planning permission it would be for temporary

o

**Head of Planning Services Jill Wilson BA MRTPI**
**P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB**
**Tel 0151 443 2303 Minicom 0151 443 3401 Fax 0151 443 2370**
**E-mail: planning.DPD@Knowsley.gov.uk**

accommodation and does not necessarily mean that planning permission would be granted for permanent accommodation.

7. Details of the septic tank that has been installed and details of the outfall etc should be submitted together with a drawing clearly showing the position of the tank prior to any works commencing. A percolation test should be undertaken and the results submitted as part of the required details. Also the details shall include whether the tank as existing is solely for the caravan or for the livestock building and its environs as well. If the sceptic tank is to be removed and replaced full details of the replacement prior to commencement are required.

8. Details are required of the type of machinery used for the soil stripping which has been carried out, the depth of the soil that was removed, along with details of where it is stored and the position of the holes filled (marked clearly on a plan). Any further soil stripping proposed will require a scheme to be submitted by a previously agreed person(s) prior to any works commencing.

10. The planting along the western boundary of the access road and the southern boundary with Sandy Brow Farmhouse/Hawthorne Cottage shall be protected by fencing of a minimum height of 1.2 metres using vertical or horizontal scaffolding poles or stout fencing with the uprights driven well into the ground. The fencing is to be erected in a location to be submitted to and approved in writing by the Local Planning Authority. A Z purlin barrier had been erected and location submitted previously, although the condition had not been discharged.

11. At least two working days written notice is to be given to the Local Planning authority of the intention to commence development, with the protective fencing required by the previous condition in place before the written notice of the start of development being given to the Local Planning Authority.

The proposed fishing lake will require planning permission. Drawings to be submitted with any planning application submitted shall include a location map with the boundary of the site edged red plus a site plan indicating any associated development such as access road and car parking area. In addition, drawings shall include a number of sections across the site and shall indicate existing and proposed ground levels together with floor levels of any buildings through which the sections run and shall extend beyond the site boundaries to include any adjacent properties. Such a proposal will be assessed, amongst other factors, on its impact on the amenity of the area, both visual and residential, together with highway considerations and the effect on the openness of the Green Belt. I have enclosed the forms necessary to submit such an application which should be returned with four copies of drawings and the appropriate planning application fee.

o

**Head of Planning Services Jill Wilson BA MRTPI**
**P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB**
**Tel 0151 443 2303 Minicom 0151 443 3401 Fax 0151 443 2370**
**E-mail: planning.DPD@Knowsley.gov.uk**

The advice in this letter is given in good faith on the basis of the information provided by you and available to me at this time and does not prejudice the Council with respect to any planning application received. If you require any further information please, do not hesitate to contact me on 0151 443 2395

Yours sincerely



LEE OSBORNE
Planner

**Head of Planning Services Jill Wilson BA MRTPI**
**P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB**
**Tel 0151 443 2303 Minicom 0151 443 3401 Fax 0151 443 2370**
**E-mail: planning.DPD@Knowsley.gov.uk**

43 Ruskin Way
Huyton -Roby
LIVERPOOL
L36 5UJ
Tel 0151 489 3241
Fax 0151 524 2469
Mob 07899 907867

~~27~~ February, 2006

Dear Sir,

Ref; Planning Application 02/01063/FUL

I am in the process of purchasing land at Sandy Lane Farm, Cut Lane , Knowsley.

The application for a temporary residence on the above application is I believe due to run out in March this year.

I would like to apply for an extension of the above planning application for the temporary residence. This will provide shelter for a site foreman and a security person looking after any on site equipment/materials.

I am led to believe that the planning application 01/00632/FUL is still in force until August 2007 for the 1 No Livestock Building and 8 No Polytunnels.

My plan is to start the build of the Livestock building and Polytunnels within 2 weeks of completion of the purchase, I have in place an agreement with a contractor to complete this work. At present work has started on the roadway which is not to a satisfactory standard. My plan is to re construct this roadway to an improved level, once this is completed work will then commence on the construction of the Livestock building and the Polytunnels.

Would you please advise what course of action I need to take to proceed with the planning application extension for the temporary residence.

Yours faithfully

Mr James Ferguson

43 Ruskin Way
Huyton -Roby
LIVERPOOL
L36 5UJ
Tel 0151 489 3241
Fax 0151 524 2469
Mob 07899 907867

27 February, 2006

Knowsley M.B.C.
Planning & Development Dept
- 7 MAR 2006
572
Planning Services Division

Dear Sir,

Further to my recent correspondence (copy enclosed), I would like to apply for planning permission on a change of use for the proposed chicken sheds.

I would like to implement a development for a fishing lake as shown on the enclosed drawing. This I feel would be more environmentally friendly, given the current situation with bird flu, whilst also providing an opportunity for local employment.

My understanding is that the condition of the land does not lend itself for agricultural use, it has depressions in the land liable to flooding. I would like to diversify other parts of the land to include an area for Norwegian Spruce and Fir trees on a 6/8 year cycle plan as a sustainable growth area.

Would you please advise what information is required for me to proceed with my application.

Yours faithfully

Mr James Ferguson

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Pond

H = High Ground

L = Low Ground

Image © 2006 The GeoInformation Group

| | | |
|---|---|---|
| 01/00632/FUL | Erection of 1 no livestock building, 8 no polytunnels and caravan for temporary residence. Land at Sandy Lane Farm, Cut Lane, Kirkby. | **MR GIELTY** |

Ward — Northwood.

Proposal — The application is for the erection of a 1 no livestock building, 8 no polytunnels and the siting of a caravan for temporary residence on agricultural land situated between the northern side of Cut Lane and the southern side of Red Cut Lane, Kirkby.

APPROVED AS REPORT

The livestock building would have dimensions of 30m deep by 14m wide and would have a pitched roof attaining a maximum height of 5m. The building would be utilitarian in appearance like most farm buildings and would be of plastisol coated sheeting with a roof of corrugated sheeting incorporating roof lights. The livestock building would house 80 no beef cattle, 20 no breeding cows and up to 80 no calves.

The proposed polytunnels would be sited to the south west of the proposed livestock building and would form 1 no block of 4 no polytunnels wide by 2 no polytunnels deep. Each polytunnel would have dimensions of 32m deep by 16m deep and would attain a maximum height of 3.8m.

The proposed caravan would be sited to the north east of the proposed polytunnels and to the north west of the proposed livestock building. The caravan would have 3 no bedrooms. An access road and hard surfaced area is proposed leading from Cut Lane.

In addition 10 No chicken sheds would be sited on land to the north east of the proposed livestock building. The chicken sheds would house free range chickens (up to 1000 no chickens per shed). The sheds would have dimensions of 12m deep by 6m wide and would be single storey. The sheds would be sited on "skis" and would be moved about the land. The sheds do not require planning permission (as they do not constitute development) and do not form part of the application.

Site & Surroundings — The site consists of agricultural land underused and unused in a predominantly agricultural area. Along the southern boundary of the site is significant planting (also along the western boundary of the proposed access). The western boundary of the space has some planting but not to such a degree.

Relevant History — None

Representations — The application was advertised by a press and site notice, and the occupiers of properties in the vicinity of the site also notified by letter. No comments have been received.

Consultations — Transportation and Engineering Services Division – no objections.
Chief Environmental Health Officer – no objections.
Environment Agency – no objections.
Transco – no comments received.
Manweb – no comments received.
United Utilities – no objections.

National Grid – no objections in principle.
West Lancashire District Council – no objections.

UDP Allocation & Policy Context

The site is in the Green Belt.

Knowsley UDP Policies:
G2 – Development in the Green Belt.
G7 – Agricultural Buildings and Plant.
G9 – Dwellings for Key Workers.
G11 – Protection of the Best and Most Vesatile Agricultural Land.

Planning Policy Guidance Notes:
PPG – Green Belts.
PPG7 – The Countryside : Environmental Quality and Economic and Social Development.

Issues & Assessment

There are a number of relevant planning issues to be considered – these include the principle of development and its impact on the green belt, residential amenity and ecological considerations.

1. Green Belt Considerations

Applications for development in the Green Belt are considered taking into account the appropriate development listed in Policies G2, G7, G8, G9 and G11 of the Unitary Development Plan which itself relates to PPG2, the Government's policy and guidance for green belt developments.

a. Policy G2

The policy lists development appropriate for the Green Belt. Appropriate development includes that for the purposes of agriculture and forestry. As the proposal is agricultural it can therefore be considered appropriate in principle, subject to other detailed policy considerations discussed below.

b. Policy G7

The policy states that agricultural buildings should be sited to minimise the visual impact on the landscape, relate well to existing farm buildings and have no significant adverse impact on the amenities of adjoining land use.

The proposal would be sited to the north east of the group of buildings located on the northern side of Cut Lane including some dwellings and farm storage buildings. The proposal would also be sited adjacent to the boundary of a field.

The development would be visible to a significant degree due to the size of the various component parts of the application. However, this should be taken in the context that the development is agricultural (and to a certain degree horticultural which is also appropriate Green Belt development) in use and appearance within an agricultural setting.

The polytunnels would be sited approximately 80m from the rear of Hawthorne Cottage, the closest dwelling. Due to the planting along the southern boundary of the application site it is not considered that the visual amenities would be affected to any significant extent. Again the context of living in an agricultural environment needs to be taken into account.

The livestock building would potentially be detrimental to residential amenity. (Hawthorne Cottage, Sand Brow Farmhouse, Coopers Moss Farm House, Sandy Brow Cottage and the other dwellings notified are classified as 'protected' buildings in accordance with Annex C of PPG7). However, the siting of the livestock building with the polytunnels between it and Hawthorne Cottage would reduce the potential detriment, and the agricultural context of the site and area needs to be considered. However, it may be appropriate to condition any permission granted to ensure that livestock are not kept in the yard area (as stated in para 8 of the letter from the agent dated 10 April 2002) and that sewerage disposal details are agreed prior to commencement of development.

c. Policy G9

This policy relates to key workers dwellings. The policy states that where the need to provide accommodation for workers at their place of work has been accepted as justifying isolated residential development in the open countryside, the Council will ensure that dwellings are kept available for meeting the need subject to criteria. These require:

i. The dwelling for a key worker should be located within the curtilage of the source of employment. The caravan would be sited within the site area as shown on the location map submitted with the application and would be close to the livestock building, chicken sheds and polytunnels which form the proposed enterprise. In accordance with Policy G9 and advice in PPG2, it is necessary to restrict the grant of permission by way of a condition to ensure that the residential caravan is only occupied by persons employed in agriculture.

ii. The Council should be satisfied that the enterprise meets the functional and financial tests described in Annex E of PPG7. A report demonstrating how the enterprises would function and the financial basis on which the enterprises would succeed was submitted with the planning application. Whilst at this stage it is considered that the details are satisfactory and do indicate that the economics of the enterprise are viable there is a question mark in respect of the longer term viability. Accordingly, in line with advice in PPG7, it is prudent at this stage to ensure that consent for the caravan is given on a temporary basis and enable a further report on the viability of the farm to be assessed..

d. Policy G11

This policy aims to protect from irreversible development on the best and most versatile (BMV) agricultural land comprising land classified by MAFF as grades 1, 2 and 3A.

The broad brush 1988 Agricultural Land Classification Map classes the land as Grade 1 BMV Land. A report on the land on which the buildings would be sited was submitted, the conclusion being that the land is not suitable for cropping with root vegetables due to the quality of the land. Further information was submitted indicating good quality soil. The applicant is not disputing the quality of the soil and brokers the argument that for the loss of a relatively small area of BMV land underused and unused land would be utilised, and that the enterprise is for the provision of an organic farm which is likely to enhance the quality of the remaining land. The Environmental Advisory Service (EAS) accept that the livestock building would result in the loss of some BMV land. As EAS do not wish to stand in the way of the farm diversification a soil stripping condition has been proposed for the site of the livestock building (although an area including the access may be more appropriate) as the soil resource would not be lost and could be used on areas of poorer quality soil.

Particularly in these times of uncertainty for farmers such investment in the future should be encouraged, and as PPG7 points out (para 3.2) an efficient and flexible agricultural industry is essential. The loss of the BMV land can be alleviated by a soil stripping condition to ensure that the land is not lost.

2. Residential Amenity Considerations

The nearest dwellings to the proposed development are Hawthorne Cottage and Sandy Brow Farmhouse (80m and 100m away respectively). The development would be visible from Sandy Brow Lane, Cut Lane and Red Cut Lane. Whilst the proposed development is substantial it is of a type found in agricultural areas. Furthermore the development is grouped together and does not form isolated developments, indeed it could be argued that it is an extension of the existing complex of farm buildings to the north of Sandy Brow Farmhouse albeit of greater scale. Landscaping would lessen the visual impact of the proposal, although landscaping should be used to soften the appearance rather than try to shield it completely, agricultural buildings being acceptable development within the Green Belt. It is considered that for the reasons above and the landscape of the area the proposal would not be detrimental to the openness of the Green Belt.

3. Ecological Considerations

The proposed access would not require any breach to hedging, although some protection to planting on the western boundary of the access would be reasonable.

The proposal would now involve development on any area of nature conservation or wildlife value.

4. Highway Considerations

The access would lead up from Cut Land to the area of the site on which the livestock building would be located and would have a 10m radius at the junction with Cut Lane. The access would be on the boundary of the land in the control of the applicant. The Council's Highway Engineers have no objections to the proposal and it is considered that it would not be detrimental to road safety.

RECOMMENDATION

That planning permission be granted subject to the following conditions.

1. No part of the development hereby permitted shall be commenced until details of the proposed external facing materials to be used on the walls and roof of the livestock building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The livestock building shall only be erected in accordance with the agreed details.

2. No part of the development hereby permitted shall commence until full details of the access, access road and any area of hardstanding including a drawing at 1:200 scale and details of surfacing has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be installed prior to any part of the development coming into use and shall be maintained in accordance with the agreed details at all times that the site is use for any part of the development hereby permitted.

3. The site shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the start of development.

   The scheme shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of the livestock building or polytunnels, which ever comes first. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

4. The occupation of the caravan shall be limited to a person solely or mainly employed in connection with the agricultural development hereby permitted as defined in Section 336 of the Town and Country Planning Act 1990.

5. The caravan hereby permitted shall be removed and the land reinstated to its former condition, including the removal of all ancillary works and structures (not including the polytunnels nor the livestock building) at or before the expiry of a period ending on 31 August 2005 unless a further application for a renewal of the permission of a planning application for a permanent building has been previously submitted and approved by the Local Planning Authority

6. No part of the development hereby granted permission shall be commenced until details of sewage disposal have been submitted to and approved in writing by the Local Planning Authority. When assessing the suitability of the site for septic tank drainage, a percolation test shall be undertaken by a suitably qualified and experienced person in accordance with the appropriate current British Standards. The caravan and livestock building hereby permitted shall not come into use until the details of the sewage disposal have been implemented in full.

7. No part of the development hereby granted permission shall be commenced until a scheme has been submitted to by a person(s) the identity of whom has been previously agreed in writing by the Local Planning Authority and approved in writing by the Local Planning Authority for the stripping of the soil on the site of the access road, livestock building and areas of hardstanding. The scheme shall include details of the storage and re-use of the soil removed.

8. No livestock shall be kept on the yard area or any hardstandings approved as part of the scheme required by condition 2 of this planning permission.

9. No part of the development hereby permitted shall be commenced until the planting along the western boundary of the access road and the southern boundary with Sandy Brow Farmhouse/Hawthorne Cottage have been protected by fencing, of a minimum height of 1.2 metres, which shall use vertical or horizontal scaffolding poles or stout fencing with the uprights driven well into the ground. The fencing shall be erected in a location to be submitted to and agreed in writing by the Local Planning Authority and retained in the approved position until the development is completed.

   No storage of plant or material (including soil), works (including improvement of soil, changes in ground level, vehicular movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing hereby defined.

10. At least two working days written notice shall be given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in condition 9 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority.

Reason

1. In the interests of visual amenity and to comply with policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

2. For the avoidance of doubt and in the interests of road safety and to accord with policy T12 of the Knowsley Unitary Development Plan, adopted June 1998.

3. In the interests of visual amenity and to comply with policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

4. the site is located within the approved Knowsley Green Belt, as defined in the Knowsley Unitary Development Plan. This plan, in accordance with national planning guidance, sets a strong presumption against most forms of residential development. Permission has only been granted in the light of the agricultural need.

5. To enable the Local Planning Authority to re-assess the proposal on the expiry of the permission having regard to the economic viability of the agricultural enterprise and to comply with AI of PPG7..

6. To ensure a satisfactory provision of sewage disposal facilities and in the interests of residential amenity and to comply with Policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

7. To ensure that the topsoil of Best and Most Versatile Land is not developed on and to comply with Policy G11 of the Knowsley Unitary Development Plan, adopted June 1998.

8. For the avoidance of doubt and to accord with the terms of the letter submitted by the agent dated 10 April 2002, and in the interests of residential amenity.

9. To protect existing trees and other planting along parts of the western and southern boundaries of the site and to comply with Policy En14 of the Knowsley Unitary Development Plan, adopted June 1998.

10. To ensure that the proper protection of trees and other planting has been carried out in the interests of visual amenity and to comply with policy En14 of the Unitary Development Plan.

Environmental Advisory Service, Bryant House
Liverpool Road North, Maghull, Merseyside
L31 2PA. Tel: 0151-934-Extn:

| | |
|---|---|
| Alan Jemmett, PhD, MBA, Manager | 4950 |
| Contaminated Land Specialists | 4956 |
| Ecologist | 4954 |
| Environmental Scientist | 4953 |
| Forester/Woodland Ecologist | 4952 |
| General Enquiries | 4951 |
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Knowsley M.B.C.
Planning & Development Dept
10 JUN 2002
Planning Services Division

Environmental Advisory Service

# MEMO

Your Ref 01/00632/FUL
File Ref Kn01/048
W/P Ref pcla/myd/kn/kn01048d
Date 6th June 2002

TO: Lee Osborne
Development Control
Knowsley Council

FROM: Lucy Atkinson

**Proposed Erection of 1 No. Livestock Building, 8 No. Polytunnels and Caravan for Temporary Residence.**
**Sandy Lane Farm, Cut Lane, Kirkby**

Further to your telephone conversation with Alan Jemmett, regarding the above application. We confirm the following.

1. EAS does not wish to stand in the way of this farm diversification proposal, and understand that the farmer does not dispute the agricultural land classification (Grade 1) for the area affected by the proposed livestock building. As such, we accept that the livestock building will result in the irreversible loss of some Best and Most Versatile land.

2. This loss of BMV land is subject to a condition requiring the careful stripping of soil from the area proposed for the livestock building. This will mean that the soil resource itself is not lost and can be beneficially used on poorer areas of land provided that over-deepening of the topsoil does not occur.

3. With respect to the provision of a caravan for temporary residence, we refer you to point 5 of our memo dated 4th January 2002. It should be made clear to the applicant that permission for temporary accommodation does not necessarily mean that permission for a permanent residence will be granted. It should be noted that the information required in I5 of PPG7 will be needed if permission for a permanent dwelling is subsequently sought.

We would be pleased to comment further on any point at your request.

Lucy Atkinson

Knowsley Council

# FAX HEADER SHEET

## Department of Planning and Development

Deputy Chief Executive & Director of Planning and Development

Graham Smith B Sc Dip MS C Eng MICE MIHT

To: Alan Jammett / Lucy Atkinson

Company: EAS

Fax No: 934-4955

From: Lee Osborne

Date: 12/6/02 Tel No: 0151-443 2395

Number of Pages Including This One: 3

Dear Alan,

Further to our recent telephone conversation please find enclosed a copy of a letter received from Michael Cunningham re Sandy Lane Farm, Cut Lane Kirkby Planning Application 01/00632/FUL. I would draw your attention to para. 4 of the letter. In light of the assumption, and a soil stripping condition on any planning permission granted, is further investigation necessary? Once your response is received (and provided that further investigation isn't required) I will be in a position to assess the application and prepare a report to Committee. Thankyou for your assistance in this matter.

Yours sincerely

L Osborne

(Lee Osborne)

ceg

Head of Planning Services Jill Wilson BA MRTPI
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INVESTOR IN PEOPLE

Derby Chambers, Derby Street, Ormskirk, Lancs., L39 2BY
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**MICHAEL CUNNINGHAM PLANNING**

TOWN & COUNTRY PLANNING CONSULTANCY

Planning Department
Knowsley Borough Council
P O Box 26
Yorkon Buildings
Archway Road
Huyton
Knowsley
Merseyside
L36 9FB

**Date:** 23 May 2002

**Our Ref:** MGC/JES/1544

Knowsley M.B.C.
Planning & Development Dept
24 MAY 2002 1656
Passed to | LO
Ack |
Reply |

Dear Sirs

**Re: Planning Application – Sandy Lane Farm, Cut Lane, Kirkby – Application No: 01/00632/FUL.**

I am in receipt of your letter dated 8 May 2002 which included a copy of the memo from the Environmental Advisory Service.

I have spoken to a representative of the Environmental Advisory Service and can respond to the point raised in your letter which concerned Paragraph 2 of the consultation response.

The area surveyed by the applicant is essentially the whole of the site. The methodology used for the survey involved the excavation of the land up to a depth of approximately 100 – 150 cm manually. The results of each hole whilst not detailed individually provided the information as outlined in my earlier letter dated 10 April 2002. The assessment of the land was carried out over the whole of the application site. The applicant who carried out the investigation is suitably qualified in as much as he is well acquainted with the land in question having farmed there and in the immediate vicinity for a number of years. Given his occupation as an arable farmer involved in organic food production, he feels he is better qualified than most to provide an assessment of his land.

As referred to in my earlier correspondence, I fully appreciate that the Environment Advisory Service would normally expect to receive a detailed and somewhat expensive report identifying the quality of the soil in order to make an assessment, but given that my client is accepting that the land is effectively Grade 1 agricultural land, I am at a loss to understand why more detailed information would be required.

RICS

My client is also now becoming very concerned at what appears to be a wholly unreasonable delay in the processing of this application. You will be aware that discussions and correspondence with your Authority on this matter commenced some 18 months ago and the latest application which is being considered was actually submitted on 14 September 2001 which is exactly 8 months ago.

Given that the Authority must now be in possession of all the necessary facts upon which to make a decision I must insist that this matter is taken forwards with all haste.

I would be grateful if you would confirm receipt of this correspondence and that the matter will be dealt with at the next available Committee Meeting.

I look forward to hearing from you.

Yours sincerely

M.G. CUNNINGHAM F.R.I.C.S., F. Land Inst.
*Chartered Planning & Development Surveyor*

Environmental Advisory Service, Bryant House
Liverpool Road North, Maghull, Merseyside
L31 2PA. Tel: 0151-934-Extn:

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| Forester/Woodland Ecologist | 4952 |
| General Enquiries | 4951 |
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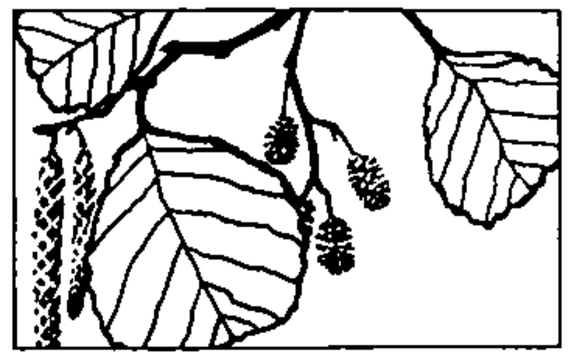

Environmental Advisory Service

Knowsley M.B.C.
Planning & Development Dept
- 2 MAY 2002
1398
Passed to LO.
Ack
Reply
Your Ref 01/00632/FUL
File Ref Kn01/048
W/P Ref pcla/myd/kn/kn01048c
Date 23rd April 2002
SEFTON
PLANNING DIVISION
DATE RECEIVED
24 APR 2002
IMAGED:

# MEMO

TO: Lee Osborne
Development Control
Knowsley ~~Sefton~~ Council

FROM: Lucy Atkinson

**Proposed Erection of 1 No. Livestock Building, 8 No. Polytunnels and Caravan for Temporary Residence**
**Sandy Lane Farm, Cut Lane, Kirkby**

Thank you for providing EAS with the additional information regarding soil quality and drainage for the above development. We make the following comments.

1. We do not wish to create barriers to this development, which as the applicant's agent states is aiming to bring under-used and unused land back into beneficial use. However, the information provided with respect to both the soil quality and drainage remains somewhat confused.

2. The previous site walkover resulted in a report stating that the site had poor soil structure. The applicant now states that in his opinion the area of the site which will be occupied by the livestock building is Grade 1. As the applicant is aware, we would ordinarily only accept a site investigation report produced by a qualified and experienced soil scientist. Therefore, at the very least, before we can accept this statement we would need details of the area surveyed by the applicant, the methodology used for the survey, the results of each intrusive hole, and the experience the applicant has which qualify him for this work. We acknowledge that the area of land which would be subject to irreversible development is restricted to the livestock building.

3. If the Council is minded to approve the application, we advise that a condition requiring the careful stripping of soil from the area proposed for the livestock building, in order that the soil resource is not lost. This soil can then be beneficially used on poorer areas of agricultural land provided that over-deepening of top soil does not occur.

4. The points raised with respect to site drainage were our observations. These points need to be addressed by the Council drainage section and the Environment Agency in order to ensure there is no pollution of controlled waters resulting from farm activities. In principle, we support the aim to re-use all surface water which would be consistent with the principles of sustainable drainage. Nevertheless, we note inconsistencies in the details provided with

respect to drainage, these need to be resolved to the satisfaction of the Council and the Environment Agency.

We look forward to receiving the additional information with respect to the soil survey.

Lucy Atkinson

Ms L Atkinson
Environmental Advisory Service
Bryant House
Liverpool Road North
Maghull
L31 2PA

Our Ref: PS/DC/01/00632/FUL
Your Ref: kn01/048

18 April 2002

Dear Ms Atkinson

**TOWN AND COUNTRY PLANNING ACT 1990**
**PLANNING APPLICATION 01/00632/FUL**
**PROPOSED ERECTION OF 1 NO. LIVESTOCK BUILDING**
**8 NO. POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**
**SITE: SANDY LANE FARM CUT LANE KIRKBY**

I refer to your letter dated 12 March 2002 relating to the above subject matter.

With respect to the points you raised I enclose a copy of a letter from the agent concerning those matters. Could you please let me have any comments you wish to make concerning the enclosed information at your earliest convenience in order that a suitable response can be forwarded to the agent.

Should you have any queries, please contact me on 0151 443 2395.

Yours sincerely

LEE OSBORNE
Planner, Kirkby Development Quality Team

dh
(sndy-ln-fm1)

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**MICHAEL CUNNINGHAM PLANNING**

TOWN & COUNTRY PLANNING CONSULTANCY

L Osborne Esq
Planner - North Development Quality Team
Knowsley Council
P O Box 26
Yorkon Buildings
Archway Road
Huyton
Knowsley
Merseyside
L36 9FB

**Date:** 10 April 2002
**Our Ref:** MGC/JES/1544m

Knowsley M.B.C.
Planning & Development Dept
12 APR 2002 11:39
L.O.
✓

Dear Mr Osborne

**Re: Planning Application 01/00632/FUL - Development at Sandy Lane Farm, Cut Lane, Kirkby.**

In response to your letter dated 19 March 2002 and my subsequent conversation with Ms Atkinson of the Environmental Advisory Service, I am able to respond as follows.

In respect of the quality of the land and comments made on the previous assessment by County Crops, Mr Gielty, my client and the owner of the land, has carried out his own intrusive soil survey on the site where the buildings are proposed. The following information has been obtained.

| Depth | Soil Type/Quality |
|---|---|
| Up to 35 cm | Grade 1 sandy top soil. |
| Up to 80 cm | Silica sand. |
| After 80 cm | Clay. |

The above information has been found to be consistent throughout the area of the proposed development with the exception of a relatively small area to the south westerly corner adjoining the arrangement of buildings which currently exist which constitutes rubble and waste material presumably as the result of demolition of buildings in this area.

RICS

I appreciate that the Environmental Advisory Service may have anticipated a detailed report provided by an external consultant, however I have not only found some difficulty in obtaining a company qualified to carry this out, but also those two companies suggested by Ms Atkinson have provided quotations for this work which have proved quite prohibitive and which my client feels are unwarranted. My client, who is fully conversant with the quality of the land, is the best qualified to assess its value and versatility. In addition, he is not attempting to dispute the fact that the land is of good quality.

I think what is more relative here is the fact that this proposal will bring back into production land which is currently under used or unused, and if this involves the loss of a very small area of land which will be occupied by the livestock building and the caravan, I would suggest it is a worthwhile proposal. I would like to stress that the majority of the area of proposed buildings includes an arrangement of polytunnels which will not involve the loss of any of the land, but will actually utilise this land.

I would also like to reiterate the fact that this proposal is for the provision of an organic farm, and as such it is one which will preserve and enhance the quality of the land being used in the farming practice.

I would draw your attention to the fact that the position of the proposed buildings on site has been arrived at by careful consideration of all the alternative locations, and it is felt that this is the only situation which could satisfactorily provide the facilities necessary for such a development of the land. I would hope that the Environment Advisory Service will accept that any relatively small loss of land is acceptable in terms of what is being proposed.

In respect of the request for information concerning the drain run off from the yard, I have confirmed with my client that none of the livestock will be allowed onto the yard and therefore fouling by cattle will not take place. Surface water run off will be retained, stored and reused in land irrigation as is the normal practice in organic farming. The nutrients derived from surface water run off are necessary in this method of farming.

I hope that the above information is satisfactory for your purposes, and if so that the application can go forward to the next planning committee meeting with a recommendation for approval.

I would be grateful if you could acknowledge receipt of this correspondence and confirm its acceptability, and I therefore look forward to hearing from you.

Yours sincerely

M.G. CUNNINGHAM F.R.I.C.S.
*Chartered Planning & Development Surveyor*

Michael Cunningham Planning
Derby Chambers
Derby Street
Ormskirk
Lancs.
L39 2BY

Our Ref: PS/DC/01/00632/FUL

19 March 2002

Dear Mr Cunningham

**TOWN AND COUNTRY PLANNING ACT 1990**
**PLANNING APPLICATION 01/00632/FUL - PROPOSED ERECTION OF 1 NO. LIVESTOCK BUILDING - 8 NO. POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE - SITE: SANDY LANE FARM CUT LANE KIRKBY**

I refer to the above planning application and thank you for the soil report received 22 February 2002. I have consulted the Environmental Advisory Service with regard to the report and have now received their response (enclosed).

I would draw your attention to Paragraph 1 of their response letter. As you can see an intrusive soil survey is required to qualify the loss of Best and Most Versatile Land. Could you please forward the required survey as soon as possible in order that the application has the relevant information to give full consideration before a decision is made.

With regard to Paragraph 2 of the enclosed copy letter could you confirm whether or not the yard would be subject to fouling by cattle or not, as I am of the opinion that such fouling would inevitably occur. If such fouling will occur then drainage details of the yard area will be required.

I look forward to receiving the required information at your earliest convenience. Could you please confirm the intrusive soil survey and the drainage details will be forthcoming (or confirmation otherwise) as failure to submit such details may prejudice the application. Should you have any queries please contact me on 0151 443 2392.

Yours sincerely

LEE OSBORNE
Planner – North Development Quality Team

a
(01-00632)

**Head of Planning Services Jill Wilson BA MRTPI**
**P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB**
**Tel 0151 443 2303 Minicom 0151 443 3401 Fax 0151 443 2370**
**E-mail: planning.DPD@Knowsley.gov.uk**

Environmental Advisory Service, Bryant House
Liverpool Road North, Maghull, Merseyside
L31 2PA. Tel: 0151-934-Extn:

| | |
|---|---|
| Alan Jemmett, PhD, MBA, Manager | 4950 |
| Contaminated Land Specialists | 4956 |
| Ecologist | 4954 |
| Environmental Scientist | 4953 |
| Forester/Woodland Ecologist | 4952 |
| General Enquiries | 4951 |
| Fax | 4955 |
| E-mail: | eas@sefton.u-net.com |


Environmental Advisory Service

# MEMO

Knowsley M.B.C.
Planning & Dev. Dept
15 MAR
Passed to | Date
Ack
Reply

Your Ref PS/DC/01/00632/FUL
File Ref kn01/048
W/P Ref pcl/myd/kn/kn01048b
12th March 2002

TO: Lee Osborne
Development Control
Knowsley Council

FROM: Lucy Atkinson

**Erection of 1 No. Livestock Building, 8 No. Polytunnels and Caravan for Temporary Residence**
**Sandy Lane Farm, Cut Lane, Knowsley Industrial Park, L33 3AJ**

Thank you for sending the additional information requested in our earlier memo dated 4th January 2002. We make the following comments.

1. The information gained from a site walkover is not sufficient to qualify the loss of Best and Most Versatile land, an intrusive soil survey is required. Given that the broad-brush Agricultural Land Classification map indicates this area to be Grade 1 BMV land, the initial findings of the superficial walkover are somewhat surprising. I have checked our records again, and found a more recent detailed survey for the fields directly adjacent to the application area. This survey was conducted by MAFF in 1994 and classifies the adjacent land as Grade 2 and 3a. This serves to prove the requirement for an intrusive soil survey on the application area. Further to this, the information provided refers to the growing of root vegetables. The original application states that the intention is to grow salad crops, and therefore, the assessment of the soil on the basis of root vegetables is irrelevant to the application.

2. We are concerned that it is proposed to drain run-off from the yard to the roadside surface water drain. Without more detail on the proposed use of the yard it is difficult to determine whether this presents a pollution risk. It is anticipated that the yard will be subject to some fouling by the cattle, and as such the run-off from the yard should be treated as foul water. If this presumption is incorrect then the applicant needs to specify this.

3. We understand that the information previously submitted is still applicable to this application. The information provided appears to demonstrate the requirement for a temporary dwelling, but the additional points made in our earlier memo (point 5) should also be made clear to the applicant.

We trust these comments are helpful, and look forward to receiving the additional information required. We would be pleased to comment further on any point at your request.

Lucy Atkinson

Ms L Atkinson
Environmental Advisory Service
Bryant House
Liverpool Road North
Maghull
Merseyside

Our Ref: PS/DC/01/00632/FUL
Your Ref: KNOW1/048

11 March 2002

Dear Ms Atkinson

**TOWN AND COUNTRY PLANNING ACT 1990**
**PLANNING APPLICATION 01/00632/FUL**
**PROPOSED ERECTION OF 1 NO. LIVESTOCK BUILDING 8 NO. POLLEY TUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**
**SITE: SANDY LANE FARM CUT LANE KIRKBY**

I refer to the above planning application and your response dated to our consultations with yourselves dated 4 January 2002.

With reference to points 3 and 4 raised in your letter dated 4 January 2002, I would offer the following respective comments:-

3. Please find enclosed a copy of a letter from the applicant's agent and a copy of a soil survey prepared on behalf of the applicant. I will await further comments from yourselves with respect to the enclosed survey.

4. The applicant's agent has confirmed that the foul drainage would be discharged into a septic tank provided on site in a position agreed with the Council's Drainage Engineers whilst surface water is proposed to be re-cycled for use on the organic crops grown on the holding wherever possible. Run-off water would be from the yard area and it is proposed that this would be discharged into an existing surface water clay-pipe, understood to be situated at the road-side. I enclose a copy of the letter received confirming these points.

Cont'd.....

a
(00632)

Head of Planning Services Jill Wilson BA MRTPI
P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB
Tel 0151 443 2303 Minicom 0151 443 3401 Fax 0151 443 2370
E-mail: planning.DPD@Knowsley.gov.uk

5. Details provided previously still relate to the current application. I have enclosed a further copy of that information supplied together with additional information contained in a letter dated 27 November 2000 (which you may have a copy of already).

I trust the above information has been of use and look forward to receiving further comments from yourselves relating to the current planning application. Should you have any queries please do not hesitate to contact me on 0151 443 2395.

Yours sincerely

LEE OSBORNE
Planner – North Development Quality Team

✓ LO

William J.Taylor BA (Hons) M.Soc. Sc. F.I.P.D
Chief Executive

Les Abernethy BSc MCD MRTPI
Deputy Chief Executive

**Stephen Byron Dip T.P., MRTPI**
**Executive Manager Planning/**
**Development Services**

**PO Box 16**
**52 Derby Street**
**Ormskirk**
**Lancashire L39 2DF**
**Telephone:** 01695 577177

Fax: 01695 585113
Email: plan.apps@westlancsdc.gov.uk

**Our Ref:** L/2001/1098AAA
**Your Ref**: 01/00632/FUL
**Please Ask For:**
Mrs.D.Humphreys-Tel:01695 577177

**Date:** 26 February, 2002

Knowsley Council (Planning Serv.)
PO Box 26,
Yorkon Buildings,
Archway Road, Huyton,
Knowsley, L36 9FB

Knowsley M.B.C.
Planning & Development Dept

28 FEB 2002

| | |
|---|---|
| Passed to | |
| Ack | |
| Reply | |

Dear Sir / Madam,

**Proposal:** Erection of 1 no. livestock building, 8 no. polytunnels and caravan for temporary residence.
**Location:** Sandy Lane Farm, Cut Lane, Kirkby.

I refer to the above application and advise you that West Lancashire District Council raises NO OBJECTIONS to the proposal.

Yours faithfully,

Executive Manager
Planning / Development Services

Derby Chambers, Derby Street, Ormskirk, Lancs., L39 2BY
tel: 01695 580490 fax: 01695 580942
e-mail: mgcunningham@lineone.net

**MICHAEL CUNNINGHAM PLANNING**

TOWN & COUNTRY PLANNING CONSULTANCY

L Osborne Esq
Planner
Knowsley Council
Department of Planning & Development
P O Box 26
Yorkon Buildings
Archway Road
Huyton
Knowlsey
Merseyside
L36 9FB

**Date:** 20 February 2002
**Our Ref:** MGC/JES/1544m
**Your Ref:** PS/DC/01/00632/FUL

Knowsley M.B.C.
Planning & Development Dept
22 FEB 2002
Passed to
Ack
Reply

Dear Mr Osborne

**Re: Planning Application - Sandy Lane Farm, Cut Lane, Kirkby - No: 01/00632/FUL.**

Further to my letter to you dated 14 January 2002, I write enclosing a copy of a short report which has been obtained by the applicant in respect of the quality of soil. This report relates to the field within which the proposed buildings are to be situated and you will see it confirms that the land is not suitable for cropping with root vegetables due to the quality of the soil.

I trust the enclosure is satisfactory for your purposes and that the matter can now proceed.

If you have any further queries in respect of this matter, please do not hesitate to contact me.

Yours sincerely

M.G. CUNNINGHAM F.R.I.C.S.
*Chartered Planning & Development Surveyor*

RICS

COUNTY CROPS

Agronomy Services

11/02/2002

Dear Mr. Gielty.

I have worked in South West Lancashire for the last 25 years approximately as an Agronomist. I studied Soil Science at Writtle Agricultural College. My area of speciality is the growing of high value vegetable crops including Potatoes and any matters pertaining to the growing of these crops including Soil type and structure.

This is my report on the ground adjacent to the road known as Molly's Lane, Kirkby; at Sandy Lane Farm.

Acting upon your request, I went to the field known as "Clanpits" and inspected it as to its ability to grow crops.

On walking in to the field I was immediately struck by the poor soil structure. This condition extended into the field approximately 100 meters. The soil type I would classify as a Sandy Loam. Upon proceeding up the headland on the left of the field and following the field boundary another 75 metres I found evidence of hardcore. The field as a whole contains a fair amount of stone and I do not consider it; certainly the area you asked me to inspect closely, to be suitable for cropping with Root vegetables.

Yours Sincerely,

John McCulloch

John McCulloch MRPPA

**ProCam** *agronomy*

Agronomy House, Langley Road Burscough Lancashire L40 8JR Telephone: 01704 895001 Fax: 01704 896394
County Crops Ltd. Registered in England No. 2796348

LO.

ENVIRONMENT AGENCY

**Our Ref :** SO/2001/013657-1/1
**Your Ref :** 01/00632/FUL

**Date :** 18 January 2002

Head Of Planning Services
Knowsley Metropolitan Borough Council
Municipal Buildings
Archway Road
Huyton
Merseyside
L36 9UX

Dear Sir/Madam

**TEMPORARY RESIDENTIAL CARVAN, LIVESTOCK BUILDING, POLYTUNNELS, SANDY LANE FARM, SANDY LANE, KIRKBY**

Thank you for referring the above application which was received on 13 December 2001. The Agency has no objection in principle to the proposed development.

The following informatives should be included on the decision notice.

INFORMATIVES

Under the terms of the Water Resources Act 1991, the prior written Consent of the Environment Agency may be required for any discharge of sewage or trade effluent into water, including groundwater via soakaways, and may be required for any discharge of surface water liable to contamination of such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant or into waters which are not controlled waters. Such Consents must comply with the requirements of the Groundwater Regulations 1998 including prior investigation, technical precautions and requisite surveillance and may be withheld. (Controlled waters include rivers, streams, groundwater, reservoirs, estuaries and coastal waters).

The proposed development must fully comply with the terms of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oils) Regulations 1991, (as amended 1997).

Knowsley M.B.C.
Planning & Development Dept

21 JAN 2002

| | |
|---|---|
| Passed to | |
| Ack | |
| Reply | |


**Environment Agency**
Appleton House, 430 Birchwood Boulevard, Birchwood, Warrington, Cheshire, WA3 7WD, Tel no:01925 840000, Fax no:01925 852260

The proposals must fully comply with the MAFF "Code of Good Agricultural Practice for the Protection of Water". Guidance can be obtained from MAFF or NFU.

Please forward a copy of this letter to the applicant.

Yours faithfully

**CHRIS WARING**
**Planning Liaison Officer**

Please ask for : CAROLE LAWRINSON

**Environment Agency**
Appleton House, 430 Birchwood Boulevard, Birchwood, Warrington, Cheshire, WA3 7WD, Tel no:01925 840000, Fax no:01925 852260

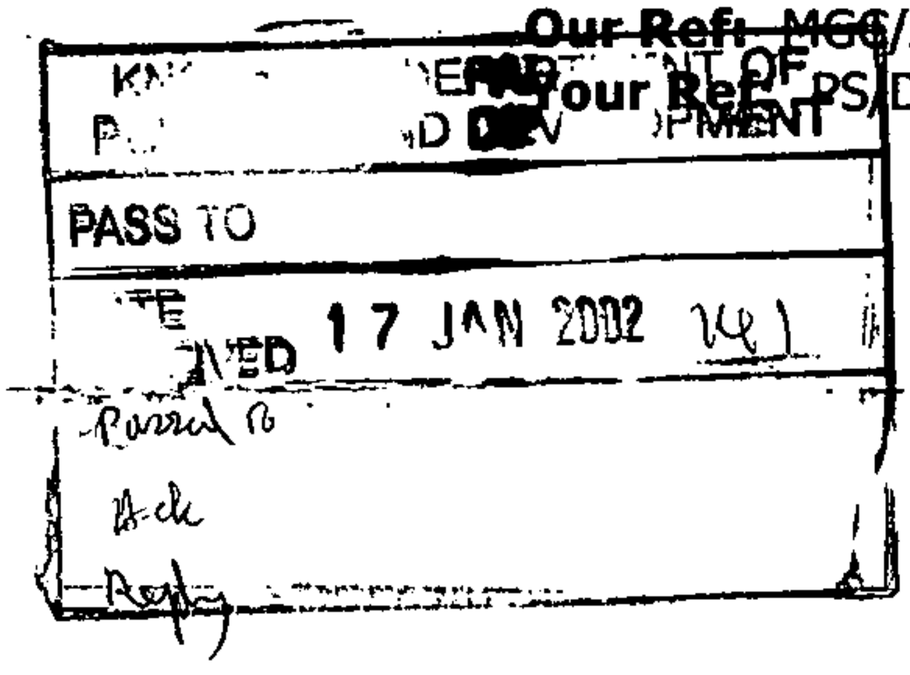
Derby Chambers, Derby Street, Ormskirk, Lancs., L39 2BY
tel: 01695 580490 fax: 01695 580942
e-mail: mgcunningham@lineone.net

**MICHAEL CUNNINGHAM PLANNING**

TOWN & COUNTRY PLANNING CONSULTANCY

L Osborne Esq
Planner
Knowsley Council
Department of Planning and Development
P O Box 26
Yorkon Buildings
Archway Road
Huyton
Knowsley
Merseyside
L36 9FB

**Date:** 14 January 2002
**Our Ref:** MGC/JES/1544m
**Your Ref:** PS/DC/01/00632/FUL




Dear Mr Osborne

**Re: Planning Application - Sandy Lane Farm, Cut Lane, Kirkby.**

I am in receipt of your letter dated 9 January 2002 and confirm that I am in the process of obtaining the soil survey as requested.

In respect of the surface and foul water drainage, I can confirm that the foul drainage will be discharged into a septic tank provided on site at a position agreed with the Drainage Engineers. Surface water is proposed to be recycled for use on the organic crops grown on the holding wherever possible. This will mean that the only run-off of water would be from the yard area and it is proposed that this would be discharged into an existing surface water clay pipe which is understood to be situated at the roadside.

I trust the above is satisfactory, and confirm that I will provide you with the soil survey information when this is available.

Yours sincerely

M.G. CUNNINGHAM F.R.I.C.S.
*Chartered Planning & Development Surveyor*

RICS

LO

**MEMORANDUM**

From: PLANNING SERVICES DIVISION -
Lee Osborne - 0151 443 2318

Our Ref: 01/00632/FUL

Date 10 December 2001

Subject: INTERNAL CONSULTATION

---

To: **Highway Authority**

**PROPOSAL: ERECTION OF 1 NO LIVESTOCK BUILDING, 8 NO POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**

**LOCATION: Sandy Lane Farm Cut Lane Knowsley Industrial Park Knowsley L33 3AJ**

I enclose herewith documents relating to the above planning application and shall be glad to know whether you have any observations to offer on the proposal.

If no reply is received within 14 days, the application will be determined on the assumption that you do not desire to submit any observations.

For Director of Planning and Development

Knowsley M.B.C.
Planning & Development Dept
15 JAN 2002
Planning Services Division

---

From: **Highway Authority**

Originator: MT

To: DIRECTOR of PLANNING AND DEVELOPMENT Date: 7/1/02

**PROPOSAL: ERECTION OF 1 NO LIVESTOCK BUILDING, 8 NO POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**

**LOCATION: Sandy Lane Farm Cut Lane Knowsley Industrial Park Knowsley L33 3AJ**

OBSERVATIONS Ref. No: 01/00632/FUL

Vehicle access to be constructed to a specification approved by the Highway Authority.

Ack 14-1-02 LO

**Service Delivery**
Dawson House
Great Sankey
Warrington WA5 3LW

Telephone 01925 234000
www.unitedutilities.com

Direct Line 01925 235840
Direct Fax 01925 235855
David.Hardman@uuplc.co.uk

Knowsley Council
Department of Planning & Development
PO Box 26
Yorkon Buildings
Archway Road
HUYTON
Merseyside
L36 9FB

Your ref 01/00632/FUL
Our ref 01/2417/DH
Date 7 January 2002

Dear Sir/Madam

**Application: 01/00632/FUL**
**Proposal: Erection of 1 No Livestock building, 8 No polytunnels and caravan for temporary residence**
**Location: Sandy Lane Farm, Cut Lane, Knowsley Industrial Park, Knowsley**

Thank you for your planning consultation of 10 December 2001.

I have no objection to the proposal.

Electricity supplies in the area of the development are provided by MANWEB.

Yours faithfully

D. Hardman

David Hardman

United Utilities, External Planning Liaison

Knowsley M.B.C.
Planning & Development Dept

11 JAN 2002

Ack
Ref

BUSINESS in the COMMUNITY
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United Utilities Water PLC (from 1 September 2001)
Registered in England & Wales No. 2366678
Registered office: Dawson House, Great Sankey
Warrington WA5 3LW

Mr M Cunningham
30 Stanley Street
Ormskirk
Lancashire
L39 2DH

Our Ref: PS/DC/01/00632/FUL
Your Ref: MGC/JES/1544m

9 January 2002

Dear Mr Cunningham

**TOWN COUNTRY PLANNING ACT 1990 - PLANNING APPLICATION FOR ERECTION OF 1 NO. - LIVESTOCK BULDING, 8 NO. - POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE.**
**SITE: SANDY LANE FARM CUT LANE KIRKBY .**
**PLANNING APPLICATION NO: 01/00632/FUL**

I refer to the above current Planning Application.

After consultation with the Environmental Advisory Service the application site, according to MAFF's 1988 broad brush Agricultural Land Classification Map is classed as Grade 1 Best and Most Versatile (BMV) land. As such a detailed soil survey is required in order that a full and frank assessment can be made to determine if the proposed buildings are sited in the most appropriate location. In addition, the Planning Application does not indicate what existing facilities for surface and foul water drainage at the site are and clarification is sought in this aspect.

Otherwise what I would request the required information within twenty-eight days of the date of this letter although obviously if the information is submitted earlier that would be beneficial. If the information is not received by the requested date the application will be determined as submitted and therefore may be prejudiced by lack of information. If you have any queries please do not hesitate to contact me on 0151 443 2395 and I look forward to receiving the required information at your earliest convenience.

Yours sincerely

LEE OSBORNE
Planner

ja
(0100632-cunningham)

Head of Planning Services Jill Wilson BA MRTPI
P O Box 26 Yorkon Buildings Archway Road Huyton Knowsley Merseyside L36 9FB
Tel 0151 443 2303 Minicom 0151 443 3401 Fax 0151 443 2370
E-mail: planning.DPD@Knowsley.gov.uk

LO

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**JOHNSONS TOYOTA** Liverpool Rimrose Road, Bootle Liverpool. Tel: 0151 922 9777. www.johnsonstoyota.co.uk

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CONWY HONDA
Ffordd Maelgwyn, Llandudno Junction
Conwy (01492) 593939

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JH & EJ ROBERTS
Dyffryn, Ardudwy
Tel: 01341 247 279

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Tel: 01758 612827

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## Public Notices

MERSEYSIDE PASSENGER TRANSPORT AUTHORITY & EXECUTIVE

Completion of Audit Annual Statement of Accounts for the year ended 31 March 2001. In accordance with the requirements of the Accounts and Audit Regulations 1996 and with the Audit Commission Act 1998, Notice is Hereby given that the Audits of the Accounts of the Passenger Transport Authority for the year ended 31 March 2001 have been concluded.

In accordance with the requirements of the Accounts and Audit Regulations (Passenger Transport Executives and the London Transport Executive) 1983, and with the Audit Commission Act 1998, Notice is Hereby Given that the Audit of Accounts of the Passenger Transport Executive for the year ended 31 March 2001 have been concluded.

Copies of both the Authority's and Executives published Annual Statement will be available for inspection and copying at the Finance Division, Merseytravel, 24 Hatton Garden, liverpool L3 2AN during normal office hours.

S Maddox
Clerk to the Authority

## Public Notices

• LIVERPOOL CITY COUNCIL
• SCHOOL STANDARDS AND FRAMEWORK ACT 1998

This advertisement gives notice of the Council's intention to dispose of the following schools and playing field sites:

**Closed schools**

**CLIFFORD HOLROYDE**
**Higher Lane** Closed school site to be sold for redevelopment
**Fazakerley**
**Liverpool 9**

**FAZAKERLEY OPEN AIR SCHOOL**
**Higher Lane** Closed school site to be sold for redevelopment
**Liverpool 9**

Any person who wishes to make objections to the above proposals must send their objections in writing to the Speke Garston Development Company at the address below no later than **18 January 2002** Plans of the sites to be disposed of are available for inspection by telephoning either:-

Rob Mason
Speke Garston Development Company
Mersey House –
140 Speke Road
Liverpool
L19 2PH
0151 494 2555

Trevor Green
Liverpool City Council
Conveyancing Business Unit
2nd Floor
Municipal Annexe
Dale Street
Liverpool L69 2DH
0151 225 2399

**METROPOLITAN** Borough of Knowsley, Town and Country Planning (General Development Procedure) Order 1995. Notice under Article 8 Publicity for Planning Applications. Notice is hereby given that the Metropolitan Borough of Knowsley has received the following planning applications: 01/00541/FUL. Erection of Medical Centre and Pharmacy, Land adjacent Pear Tree Cottage, Hollies Road, Halewood, Knowsley. 01/00632/FUL. Erection of 1 No. Livestock Building, 8 No. Polytunnels and Caravan for temporary residence, Sandy Lane Farm, Cut Lane, Knowsley Industrial Park, Knowsley, L33 3AJ. 01/00764/FUL. Erection of 12 No Detached Dwellings with Integral Garages, Former St Joseph's RC Infants, Edenfield Crescent, Huyton, Knowsley, L36 6DS. 01/00785/FUL Erection of 153 No. Two–Storey Detached, Semi Detached and Mews type Dwellings together with construction of new access. Land bounded by Yew Tree Road, Abberley Road and Arncliffe Road, Halewood, Knowsley. 01/00787/FUL. Erection of 2.4m high Security Fencing and, external works to form new entrances with 5m wide security gates, hardstanding, car parking and storage areas. Unit B3, Former Fareway Passenger Services Ltd., Hornhouse Lane, Knowsley Industrial Park, Kirkby, knowsley, L33 7YQ. 01/00797/COU. Change of use of Vacant Shop to Hot Food Take–away, Shop 94, Page Moss Lane, Roby, Knowsley, L14 0LX. 01/00806/TEL. Installation of 15 metre high replacement dual polar column with antennae and dishes to a maximum height of 17.75 metres together with new associated equipment cabin and extension of compound and new fencing and gates, Prescot Trade Centre, Oliver Lyme Road, Prescot, Knowsley, L34 2SH. Any representations relating to this application should be sent to the Director of Planning and Development, Municipal Buildings, P.O. Box 26, Archway Road, Huyton, L36 9FB, to be received within 14 days from the date of this publication quoting the reference numbers above. Copies of the application may be inspected at the offices of the Director of Planning and Development, Municipal Buildings, Archway Road, Huyton between the hours of 9.00 a.m. and 5.00 p.m. However, inspection of the plans between 12 noon and 2.00 p.m. is by appointment only. Following the Local Government (Access to Information) Act 1985 which came into force on 1st April 1986, your representations may be placed on a file which is available for public inspection for a period of six years. S. Gallagher, Chief Executive.

CONTINUED ON PAGE 36

3 - 1 - 02 LO

Date: 20 - 12 - 2001

Our Ref.: KWF/2544/01/st

Your Ref.: 01/00632/FUL

Knowsley Council
Department of Planning and Development
P.O. BOX 26
Yorkon Buildings Archway Road
Huyton
Knowsley
Merseyside
L36 9FB
For the attention of Lee Osborne


National Grid

The National Grid Company plc

Engineering Wayleaves

Process Centre
P.O. Box 7324
Coleshill
Birmingham
B46 1AR

Tel 0121 730 4051/53
CTN 486 4051/53
Fax 0121 730 4005
CTN 486 4005



Knowsley M.B.C.
Planning & Development Dept
31 DEC 2001
Passed to


Dear Sir,

**Re: Sandy Lane Farm, Cut Lane, Knowsley Ind. Est. Knowsley, L33 3AJ.**

Thank you for the planning application dated 11/12/01.

The proposals are in proximity to National Grid Company plc's **Kirby - Rainhill 400,000 volt overhead line spans 4ZG003-4,** and a copy of the route based on the ordnance survey data indicating the approximate position of the line is attached for your information.

You should be aware of the following information:

1. At 400,000 volts the statutory minimum ground clearance is 7.6 metres and 8.1 metres to a road. Further detailed clearances are stated within ESI Standard 43.8 which can be obtained from The Electricity Association, 30 Millbank, London SW1P 4RD. Tel 020 7963 5801

2. If any changes in ground levels are proposed within the vicinity of the overhead line, then further discussions with National Grid must take place prior to works starting to ensure these clearances are maintained.

3. No plant, machinery, scaffolding or personnel should encroach within 5.3 metres of the 400,000 volt conductors (wires) when under their worse condition of maximum sag and swing. All site staff should be acquainted with the Health and Safety Executive Guidance Note GS 6 (Avoidance of danger from overhead electric power lines) obtainable from HSE Books, Tel 01787-881165

4. Should any mobile plant or equipment be brought on site which can extend it s height from the standard position e.g. tipper wagon or crane, then further discussions with National Grid Company must take place prior to works starting to ensure these clearances are maintained.


INVESTOR IN PEOPLE

Registered Office:
National Grid House
Kirby Corner Road
Coventry CV4 8JY

Registered in
England and Wales
No 2366977

National Grid

5. In proposing a landscaping scheme, The National Grid Company plc would advise that trees should not be planted directly beneath or immediately adjacent to the overhead lines, as the height of those trees may affect statutory clearances. Should you wish to landscape the area beneath the overhead lines, it is suggested that the slow growing, shorter species should be considered.

6. No excavations or test bores should take place which would disturb tower foundations which can extend beyond the base area of the tower.

7. Please note that unrestricted vehicle access to our towers and equipment is required at all times.

We would also advise you to contact our associate company Energis Communications Ltd who may also have apparatus in the vicinity of your enquiry. Their address for all plant enquiries is: Littlebrook Business Centre, Littlebrook Manor Way, Dartford, DA1 5PS.

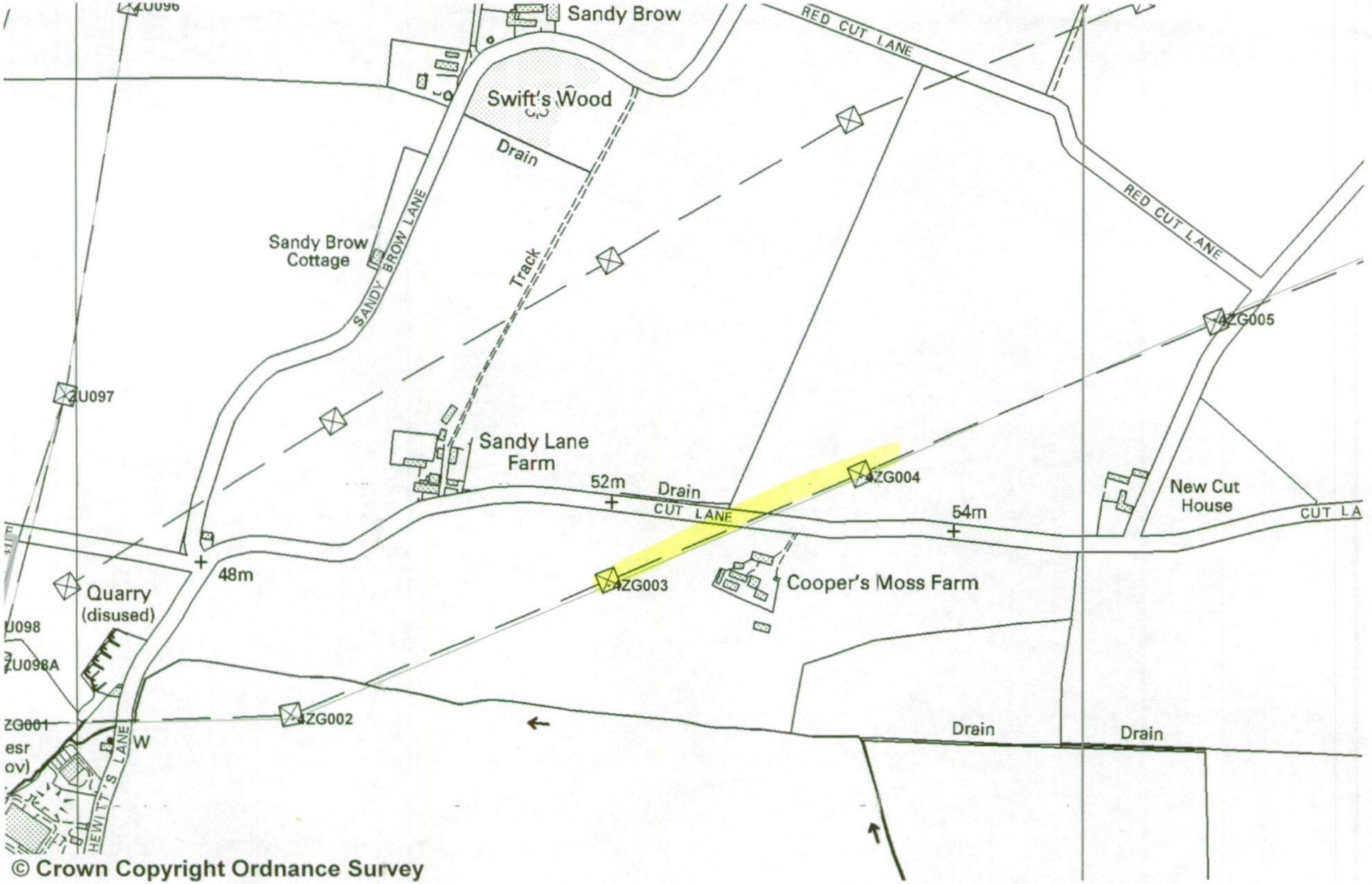
If you have not already done so, it would be advisable to contact the local Regional Electricity Company for any services that they may have in the locality.

Should you require any further information, please supply large scale plans of your proposals for verification of statutory safety clearances and restrictions within the vicinity of the overhead line to this office.

Yours faithfully,

Sylvia Trahearn
**Process Centre**
**Engineering Wayleaves**

Copies to R Hubbard




© Crown Copyright Ordnance Survey

*Environmental Advisory Service, Bryant House*
*Liverpool Road North, Maghull, Merseyside*
*L31 2PA. Tel: 0151-934-Extn:*

| | |
|---|---|
| *Dr J. M. Mackay, Manager* | *4950* |
| *Ecologist* | *4954* |
| *Environmental Scientist* | *4953* |
| *Forester/Woodland Ecologist* | *4952* |
| *General Enquiries* | *4951* |
| *Fax* | *4955* |
| *E-mail:* | *eas@sefton.u-net.com* |

Environmental
Advisory Service

**FAXED MEMO** **Original not to follow**

*Your Ref* 01/00632/FUL
*File Ref* KN01/048
*W/P Ref* pcl/myd/kn/kn01048
*Date* 4th January 2002

TO: Lee Osborne
Development Control
Knowsley MBC

FROM: Lucy Atkinson

**Erection of 1 No. Livestock Building, 8 No. Polytunnels and Caravan for Temporary Residence.**
**Sandy Lane Farm, Cut Lane, Knowsley Industrial Park, L33 3AJ.**

Thank you for consulting EAS on the above application. We make the following comments.

1. We understand that there have been a number of previous applications relating to this development, and this application supersedes the previous applications.

2. The proposed livestock building will cover a ground area of 420 square metres, with additional ground uptake by the polytunnels. The combined effect of these structures would be a significant irreversible impact on the BMV land.

3. According to MAFFs 1988 broad brush Agricultural Land Classification Map, this area of land is classed as Grade 1 Best and Most Versatile (BMV) land. Without a detailed soil survey it is not possible to narrow this classification down to a field by field basis, and as such we advise that a detailed soil survey should be requested from the applicant. This will enable us to determine if the proposed buildings are sited in the most appropriate location.

4. The planning application form does not indicate what the existing facilities for surface and foul water drainage at the site are. Clarification is sought on this.

5. Details were provided in a letter from Michael Cunningham on 27th November 2000 with respect to the requirements for a temporary agricultural workers dwelling. We will be guided by you as to whether this information is still applicable to the current application. If the information is still relevant, then this appears to demonstrate the requirement for a temporary dwelling. However, our previous memos relating to earlier applications for a temporary agricultural workers dwelling still apply, including the requirement to demonstrate clear evidence of a firm intention and ability to develop the enterprise (significant investment in new farm buildings is often a good indication of intentions). If the

Council is minded to grant permission it should be made clear to the applicant that permission for temporary accommodation does not necessarily mean that permission for permanent accommodation will be granted.

We would be pleased to comment further on any point at your request.

Lucy Atkinson

Derby Chambers, Derby Street, Ormskirk, Lancs., L39 2BY
tel: 01695 580490
e-mail: mgcunningham@lineone.net

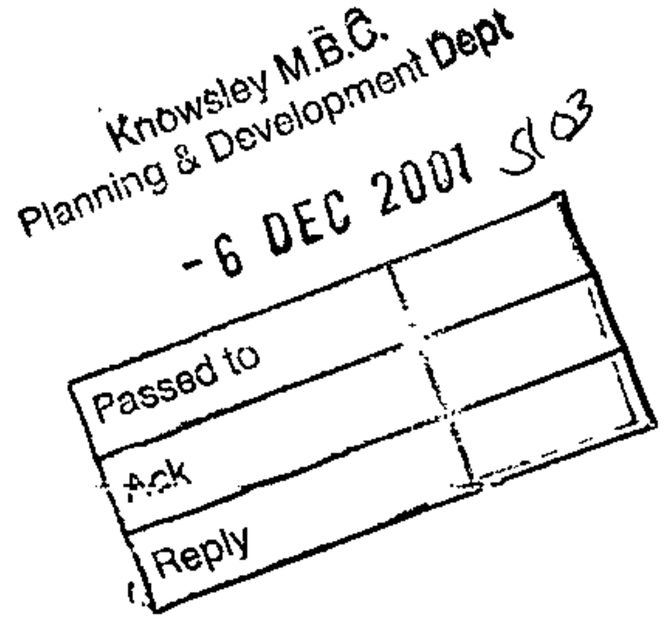
**MICHAEL CUNNINGHAM PLANNING**

TOWN & COUNTRY PLANNING CONSULTANCY

Mr Osborne
Department of Planning and Development
Knowsley Council
P O Box 26
Yorkon Buildings
Archway Road
Huyton
Knowsley
Merseyside
L36 9FB

**Date:** 30 November 2001

**Our Ref:** MGC/JES




Dear Mr Osborne

**Re: Planning Application - Sandy Lane Farm, Cut Lane, Kirkby.**

Further to my recent correspondence concerning the above application, I would be grateful if you could notify me as to the current progress with regard to this matter and I therefore look forward to hearing from you.

Whilst writing, I would like to notify you that as from 3 December 2001 I will be moving premises and my new address is as referred to above.

Yours sincerely

M.G. CUNNINGHAM F.R.I.C.S.
*Chartered Planning & Development Surveyor*

RICS

Knowsley Council

# Department of Planning and Development

**Deputy Chief Executive & Director of Planning and Development**
**Graham Smith** *B Sc Dip MS C Eng MICE MIHT*

Mr A Gielty
c/o Michael Cunningham
30 Stanley Street
Ormskirk
L39 2DH

Our Ref 01/00632/FUL
2 October 2001

**Case Officer:** Sylvia Smith

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990**

**PROPOSAL: ERECTION OF 10 NO CHICKEN SHEDS, 1 NO LIVESTOCK BUILDING, 8 NO POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE**
**LOCATION: Sandy Lane Farm Cut Lane Knowsley Industrial Park Knowsley L33 3AJ**

The above mentioned application submitted by you is incomplete by reason of the deficiencies listed below:-

1. The fee payable for this application is £2090. Could you please forward a further £1005. Accepted Chicken Sheds not included. Rec'd 14.11.01
2. Please submit 4 no. copies of drawings to scale showing the floor plan of the caravan.
3. Please submit 4 no. copies of drawings to scale showing all elevations of the caravan. No accepted literature submitted
4. Please submit 4 no. copies of drawings to scale showing all elevations of the proposed chicken shed. No longer required Chicken Sheds not included.

Would you please forward the above information at your earliest convenience in order that your application may be formally registered and considered. If, however, I do not hear from you within the next 4 weeks I shall assume you no longer wish to proceed and I shall subsequently treat your application as withdrawn.

If you require any further information please call 0151 443 2316.

Yours faithfully

Colin Williams
Development Control Manager

Cunningham BC 12/12/91

3.7 x 2.3m.
wooden chicken shed.

---

Ashford DC

~~Shed~~ Metal container
on sleepers.

---

895
190
1085
2090
1005

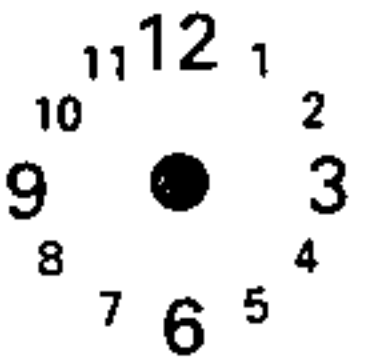
# TELEPHONE MESSAGE

Date: _____

To: _____

From: _____

Address: _____




Tel No.: _____

**MESSAGE:**

**Please call back** ☐ **Will call again** ☐ **Urgent** ☐

Taken by: _____

KNOWSLEY

*DEPARTMENT OF PLANNING AND DEVELOPMENT*

*Planning Services Division*

ISO 9002 : 1994
Sub-Clause 4.9

DOCUMENTED QUALITY SYSTEM

Operating Procedure DC/OP01



# VALIDITY CHECK SHEET

Planning Officer: LO

App No: 01/00632/FUL

Delegated/Committee

**PERMITTED DEVELOPMENT**

Is application Permitted Development? (Refer to Guidance Note No 1) (N) / Y

ACTION REQUIRED/TAKEN

PTO for additional space

**FEES**

Does an Exemption Apply? (N) / Y

Correct fee Received? Y / (N)

ACTION REQUIRED/TAKEN

App 01/00057/OUT to be withdrawn & £190 money transferred to this app. Fee of £2090 - ie. £1900 for Livestock building & chicken sheds + £190 for dwelling.

PTO for additional space

**FORMS**

Application Type Correct? (Y) / N

Correct No. of Forms? (Y) / N

Forms Complete/Signed/Dated? (Y) / N

Part II Forms Submitted? (N/A) / Y / N

Correct Certificate Completed/Signed Y / N

ACTION REQUIRED/TAKEN

NB. Chicken Sheds no longer included
∴ fee is £1085

PTO for additional space

**PLANS (Please list ALL plans received overleaf)**

Sufficient site location plans edged red/blue Y / (N)

Sufficient site layout plans N/A / (Y) / N

Sufficient existing floor plans (N/A) / Y / N

Sufficient proposed floor plans N/A / Y / (N)

Sufficient existing elevations (N/A) / Y / N

Sufficient proposed elevations N/A / Y / (N)

Sufficient levels/Sections (See Q7 (h) on OP01/01(1)) (N/A) / Y / N

ACTION REQUIRED/TAKEN

~~Red lines need to join~~ App site ~~needs to be one continuous~~ need area.

Floor plan of conversion

All plans of [illegible]

PTO for additional space

## RECORD OF PLANS RECEIVED UP TO VALIDATION OF APPLICATION

| DATE | PLAN DESCRIPTION | SCALE | REFERENCE NO. |
|---|---|---|---|
| 17.9.01 | O/S Site plan | 1:2500 | 1544m/1A |
| 17.9.01 | " | 1:10,000 | 1544m/2 |
| 17.9.01 | Caravan literature | | |
| 17.9.01 | Chicken Shed literature | | |
| 17.9.01 | Polytunnel literature. | | |
| 14.11.01 | Floor plan of caravan | | |

ADDITIONAL NOTES ON ACTION REQUIRED
(Continued from Overleaf)

**SUMMARY** Checked by: C Jones DATE: 17.9.01

| | | | | | |
|---|---|---|---|---|---|
| Permitted Development | | Valid | | Invalid | ✓ (Refer to box below) |

| | | |
|---|---|---|
| Subsequently made Valid (Date and Initials) | SS 14.11.01 | Treated as Withdrawn |

# MICHAEL CUNNINGHAM F.R.I.C.S.

- *CHARTERED SURVEYOR*
- *TOWN & COUNTRY PLANNING CONSULTANT*


Mr L Osborne
Planning Department
Knowsley Metropolitan Borough Council
P O Box 26
Archway Road
Huyton
Knowsley
Merseyside
L36 9FB

**Date:** 11 September 2001

**Our Ref:** MGC/JES/1544


Knowsley M.B.C.
Planning & Development Dept
18 SEP 2001
Planning Services Division


Dear Mr Osborne

**Re: Planning Application - Agricultural Worker's Dwelling - Sandy Lane Farm, Sandy Lane, Kirkby.**

Further to our meeting on 20 March 2001, I write to confirm that I have now been able to discuss the matter in further detail with my client and am able to supply you with the additional information which you requested during our meeting, and which it is hoped will help the matter proceed.

In respect of the ownership and occupation of the land which will form part of the holding, I attach a plan herewith (No. 1544m/2) which identifies the area of land in Mr Gielty's ownership edged in red, and the area of land which he currently rents hatched in red.

I enclose amended application forms requesting Planning Approval for the provision of a temporary residential caravan and polytunnels, livestock building and, if appropriate, chicken sheds. In respect of this last point, I would like to make the point that if the chicken sheds are to be provided with skids, as Mr Gielty suggested he may wish to do, I feel that these would not constitute development and would therefore not require Planning Approval. However, in order to allow the matter to proceed as quickly as possible, and without prejudice to my assessment of the requirement for consent in respect of this matter, I have included reference to them.

Attached to the revised application forms I have identified on Plan 1544m/1a the approximate revised positions of the various elements as we discussed, and would hope that the Authority would find these acceptable.

It has been agreed to withdraw the current application and resubmit a full application in accordance with your suggestion.


**30 STANLEY STREET - ORMSKIRK - LANCS - L39 2DH.**

*Tel:* **01695 580490** *Fax:* **01695 580490** *E-mail* - **mgcunningham@lineone.net**

With regard to the current use of the land, as you know it is in agricultural use, but I have defined on the plan referred to above (1544m/2) the existing uses of each of the parcels. I also enclose, as part of the application, specifications of the various buildings including details of the chicken sheds, polytunnels and livestock building.

I would also point out that on the larger scale plan (1544m/2) referred to earlier, I have identified not only the land uses, but also the various buildings which have been demolished at some point in the recent past to highlight the fact that the holding as proposed would constitute an arrangement of buildings which would have no greater impact on the openness of the Green Belt than the situation which had previously existed, and I would hope that the Local Authority would be willing to accept this point.

Finally, my client has asked me to confirm that he would obviously expect that any approval granted would be subject to a Section 106 Agreement requiring the building to be occupied only be someone solely or mainly working in agriculture in accordance with the model condition as defined in Paragraph I17 of PPG7.

I trust that all the above and enclosed information is satisfactory for a revised consideration of the application, and in accordance with the suggestion of Dr McKay at our last meeting, I think it would be worthwhile to arrange another meeting when you and your consultees have had a chance to consider the content of this correspondence in order to take the matter forward.

I look forward to hearing from you in connection with the above.

Yours sincerely

M.G. CUNNINGHAM F.R.I.C.S.
Chartered Surveyor

# MICHAEL CUNNINGHAM F.R.I.C.S.

- *CHARTERED SURVEYOR*
- *TOWN & COUNTRY PLANNING CONSULTANT*


Planning Department
Knowsley Metropolitan Borough Council
P O Box 26
Archway Road
Huyton
Knowsley
Merseyside
L36 9FB

01/00632/FUL

Date: 27 November 2000

**Our Ref:** MGC/JES/1544m
**Your Ref:** PS/DC/3/2/LO

17 SEP 2001

Scanned 6 Nov 01

14 NOV 2001

Dear Sirs

**Re: Proposed Temporary Agricultural Workers Dwelling - Sandy Lane Farm, Sandy Lane, Kirkby.**

I write to inform you that I am instructed by my client, Mr A Geilty of Butchers Lane, Aughton, to submit a Planning Application for the provision of a residential caravan at the above premises for the purpose of demonstrating the requirement for a permanent dwelling on the site.

My client desires to construct a residential property for the purpose of housing an agricultural worker to maintain the holding which will consist of livestock and require a management presence 24 hours a day.

My client understands that Annexe I of PPG7 suggests that a temporary residential property be provided on site for a period of time normally 3 years in order to demonstrate that there is a viable enterprise being carried on which would justify the provision of a permanent residential dwelling.

You will be aware that I have previously submitted, on behalf of my client, a report providing information concerning the proposal for a dwelling. Information contained in that report is correct in all but one respect, I have referred to the applicant proposing to run 300 to 400 chickens free-range over the land. It is his intention to run 10,000 chickens housing them in poultry sheds on the land adjoining the yard.

I would also like to emphasise at this point that the production of manure for organic fertilisation of the arable holding is one of the most important aspects of this farm. My client currently purchases up to 1,000 tons per annum at a current average cost of £4.00 per ton for the land associated with Sandy Lane Farm. By running his own cattle herd he will be able to produce organic material for fertilisation.
In the response to my earlier enquiry, the Environment Advisory Service suggested the level of detail which would be appropriate to submit with an application, I therefore attach


**30 STANLEY STREET - ORMSKIRK - LANCS - L39 2DH.**

*Tel:* 01695 580490 *Fax:* 01695 580490 *E-mail* - mgcunningham@lineone.net

herewith a breakdown of the agricultural enterprises proposed and a demonstration of the way in which these would function and the financial basis upon which the enterprises are to proceed.

It was suggested by the Environment Advisory Service that some clear evidence of a firm intention and ability to develop the enterprise, such as the investment in farmbuildings, is a criteria which needs to be satisfied. My client would be willing to provide an undertaking that he would not commence the construction or provision of a residential dwelling until such time as an agricultural building or buildings had been constructed. My client has also recently acquired a Dutch Barn on the holding which should be regarded as an investment in this farm.

With regard to the criteria suggesting that any other dwelling should be utilised which was within close proximity, I would point out that whilst Kirkby itself is relatively close to the holding, the location is such that for the proper management of the unit someone living even more than half a mile away could not control the operation. I think this would be accepted by anyone with a knowledge of the way in which an agricultural enterprise of this nature works. This is not a specialised unit, but one which would operate both livestock and arable organic farming methods, and as such the presence of someone on site makes perfect sense.

With regard to the siting and access requirements, the application is in the first instance in outline form and these would be regarded as reserved matters. The approximate position of the dwelling is indicated on the attached plan 1544m/1 this being the most appropriate location given the proposed uses of the land. It would also mean that any residential occupation would be situated as far as possible from the potential health hazards associated with overhead electricity cables of which there are two identified on the plan.

I trust that the Local Authority will regard the enclosed information and that referred to above sufficient to satisfy them in respect of this application, but if there is any further information or any aspects of the case which would warrant further discussion, I would be happy to meet the Officer concerned at your offices or on site at a time convenient to yourself.

In the meantime, I look forward to receiving acknowledgement of the receipt of the application.

Yours sincerely

M.G. CUNNINGHAM F R I C S
Chartered Planning and Development Surveyor

## ***CATTLE***

| | |
|---|---|
| *TOTAL NUMBER OF STOCK:* | |
| *BEEF CATTLE:* | 80 |
| *BREEDING COWS:* | 20 |
| *NO. OF CALVES AT ANY ONE TIME:* | 80 |
| *PERIOD OF YEAR WHEN CALVING WOULD TAKE PLACE:* | Anticipated September, October, November, December ideal, but if bought in - in calf - then no control over period of calving. |
| *PURPOSE OF INSPECTIONS:* | To monitor condition of in calf cows and health of young calves. |
| *FREQUENCY OF INSPECTION OF IN CALF COWS & CALF STOCK:* | Twice daily during normal period - during calving constant supervision at regular intervals throughout the day and night. Younger calves also require nightime inspection. |
| *NO. OF INSPECTIONS PER NIGHT:* | As necessary - often frequent. |
| *VALUE OF 1 COW IF LOST:* | In calf cow - £1,000 currently. |
| *VALUE OF 1 CALF IF LOST:* | From £300 to £1,000. |
| *COST OF PURCHASE OF 80 BEEF CATTLE & 20 COWS:* | Breeding cow - £1,000 - 20 no. then building up to herd. |
| *COST OF FEED, MANAGEMENT & MAINTENANCE:* | £300 per cow per annum feed plus costs for veterinary bills, labour plus notional building rent. |
| *EFFECTIVE COST OF AQUISITION OF 1 CALF:* | £150 - £300. |
| *COST OF FEEDING, MANAGING AND REARING TO 5 MONTHS:* | Suckling (£500 notional cost). |
| *PROCEEDS FROM SALE OF HOME GROWN BEEF:* | £1,000 fully grown. |
| *NET PROFIT FROM 1 CALF REARED:* | 1st calf - £500 plus 10 tons manure @ £4 per ton. If second calf on same cow - £600 plus 10 tons of manure @ £4 per ton. |
| *NET PROFIT FROM HERD:* | Anticipated to be £20,000 per annum. |

---

*EXPERIENCE:* Original livestock herd sold 1999.

## ***FREE RANGE CHICKENS***

| | |
|---|---|
| *NO. OF SHEDS REQUIRED:* | Minimum of 10. |
| *NO. OF INSPECTIONS PER DAY/NIGHT:* | Constant supervision - sheds alarmed for protection against overheating and burglary but manual supervision still essential. |
| *PURPOSE OF INSPECTIONS:* | To monitor and protect livestock. Protection required against predators such as foxes during summer period when chickens roam outside. Protection against overheating, theft, vandalism and predators when chickens are inside during winter months. |
| *FREQUENCY OF INSPECTIONS:* | Constant supervision required. |
| *% OF FLOCK ESTIMATED TO BE LOST IF NO REGULAR INSPECTIONS:* | If attacked by predators the majority of the stock would be lost. (It is known that foxes inhabit nearby woodland). |
| *COST OF AQUISITION OF 10,000 CHICKENS:* | £3.00 per bird. |
| *% OF FLOCK ESTIMATED TO BE REPLACED EACH YEAR:* | 50%. |
| *% OF EQUIPMENT TO BE REPLACED EACH YEAR*: | 10% |
| *COST OF FEED:* | £12.50 per bird (See attached extract from "1999 Organic Farm Management Handbook" edited by Nick Lampkin & Mark Measures). |
| *COST OF PACKAGING:* | £2.25 per bird (Organic Farm Management Handbook). |
| *ANTICIPATED EGG PRODUCTION (1 YEAR)*: | 25 dozen per bird. |
| *SALE PRICE OF EGGS*: | £1.70 per dozen |
| *ANNUAL RETURN*: | £42.50 per bird per year. |
| *EXPERIENCE:* | Currently 200 plus chickens at Lyncroft Farm, Butchers Lane, Aughton.Over 25 years experience |

## ***POLYTUNNELS***

| | |
|---|---|
| *SIZE:* | 2-3 acres. |
| *PRODUCT GROWN:* | Tomatoes, Peppers, Out of Season Salads. |
| *PURPOSE OF INSPECTION:* | To monitor conditions of plants. |
| *FREQUENCY OF INSPECTION:* | This operation will involve 3 full time staff who will inspect regularly throughout the day. |
| *TIMES OF DAY/NIGHT INSPECTION CARRIED OUT:* | At lease once per night. |
| *PERIODS OF YEAR WHEN FREQUENT INSPECTION REQUIRED:* | Summer to monitor ventilation (thermostatic controls cannot be used on polytunnels). Winter to monitor internal temperature - danger of frost action (thermostatic controls cannot be used on polytunnels). |
| *TOTAL VALUE OF CROP GROWN AT ANY ONE TIME:* | £15,000 per acre. |
| *% OF CROP ESTIMATED TO BE DAMAGED BY EQUIPMENT MALFUNCTION:* | 100%. |
| *ESTIMATED VALUE OF CROP LOSS THROUGH EQUIPMENT MALFUNCTION:* | Total value as referred to above. |
| *FREQUENCY OF CROP ROTATION:* | 2 crops per annum on a 3 year rotation. |
| *COST OF SEED, FERTILISER, MANAGEMENT (1 CROP):* | £4,000 per annum per acre plus labout costs (4 crops at any one time). |
| *GROSS SALES PROCEEDS OF 1 CROP:* | £15,000 per acre. |
| *PERIOD OF CROP GROWTH:* | Year round crop rotation. |
| *NUMBER OF CROPS PER YEAR:* | 4 at any one time (2 full crops per year). |
| *NET PROFIT FROM 1 CROP:* | Approximately £5,000. |

---

| | |
|---|---|
| *EXPERIENCE:* | Currently $2^1/_2$ acres of polytunnels being farmed at Lyncroft Farm, Butchers Lane, Aughton. |

# Planning Application

**Town and Country Planning Act 1990**
**Please read the accompanying notes, form P1B, before answering each question. Please complete in BLOCK LETTERS.**

Application No.
Date received 17/09/97
Fee paid £ 895-00 Receipt No. 282501

## Question 1

Name and Address of Applicant

Mr A Gielty
Lyncroft Farm
Butchers Lane, Aughton

Postcode .....

Tel. No. .....

## Question 1a

Name and Address of Agent (if any)

Michael Cunningham
30 Stanley Street
Ormskirk

Postcode L39 2DH

Tel. No. 01695 580490

(Contact's name M.G. CUNNINGHAM F.R.I.C.S.)

## Question 2

Address or Location of Application Site - indicate on the plan any adjoining land in the applicants control

SANDY LANE FARM
SANDY LANE
KIRKBY

DATE VALID 14 Nov 1997

## Question 3

Accurate description of the proposed development (including site area if known)

97/0032/FUL

TEMPORARY RESIDENTIAL CARAVAN, LIVESTOCKBUILDING, POLYTUNNELS TOGETHER WITH CHICKEN SHEDS.

## Question 4

Type of application

Please state yes in the appropriate box

a. Full application for a change of use not involving any building works [ ]

b. Full application for a change of use and/or new building/engineering work or alterations [YES]

c. Outline application for the erection of building(s) [ ]

(i) Please state yes/no which matters, if any, are being applied for

| Siting | Design | Means of Access | External Appearance | Landscaping |
|---|---|---|---|---|
| [ ] | [ ] | [ ] | [ ] | [ ] |

(ii) For residential development give number and type of dwellings (indicate on separate sheet if necessary).

d. **Reserved Matters** application [ ]

(i) Please give reference number of outline permission .....

(ii) Please state yes/no which reserved matters are being dealt with in this application

| Siting | Design | Means of Access | External Appearance | Landscaping |
|---|---|---|---|---|
| [ ] | [ ] | [ ] | [ ] | [ ] |

e. **Continuation of Temporary Permission** [ ]
Please give reference number of previous permission .....

f. **Modification or Removal of a Condition** [ ]
Please give the number of the planning permission and the relevant condition .....

## Question 5 Access

| | Please state Yes or No | | Please state Yes or No |
|---|---|---|---|
| Does the proposal involve a new vehicular access? | YES | an altered vehicular access? | NO |
| a new pedestrian access? | NO | an altered pedestrian access? | NO |
| Does there exist any public right of way within the application site? | | | NO |

## Question 6 Trees

Please state Yes or No

Do you intend to prune or fell any trees as part of the proposed development?
If yes, please show the tree(s) on the plan and describe the works proposed. NO

## Question 7 Existing Uses

Describe the existing or, if vacant, the last use(s) of the site AGRICULTURAL

## Question 8 Additional Information

Please state Yes or No

a. Is the application for shopping, office, industrial, or other commercial use? If so, please complete a Planning Application (Part 2), form P1A NO

b. Is the application for or associated with the winning and working of minerals or waste disposal? If so, please complete a Planning Application (Part 3), form P1M. NO

## Question 9 Drainage/Water Supply

a. How will surface water be dealt with? )
b. How will sewage be dealt with? )
c. How will water be supplied? ) EXISTING

## Question 10 Materials

If building works are proposed please describe all external materials, including roof materials (e.g. brick walls, colour, make and type and show them on your plan)

N/A

## Question 11 Plans

Please list the drawings and plans submitted with this application form (4 sets are required):

4 copies of 1544m/1a

4 copies of 1544m/2

4 copies of photo/specifications for livestock building, polytunnels, caravan and chicken sheds.

## Question 12

Please read and then sign the following statement

Declaration

I wish to apply for planning permission for the development described in this application and accompanying plans and enclose the fee of £895.00 (Fee £1,085 less £190.00 already paid).

Signed M.G. CUNNINGHAM F.R.I.C.S. (Applicant/Agent) Date 11.9.01

## Question 13

Certificate under Article 7 Town and Country Planning (General Development Procedure) Order 1995
Certificate A

I certify that on the day 21 days before the date of the accompanying application nobody, except the applicant, was the owner of any part of the land to which the application relates.

None of the land to which the application relates is, or is part of, an agricultural holding.

Signed M.G. CUNNINGHAM F.R.I.C.S. (Applicant/Agent) Date 11.9.01

**METROPOLITAN BOROUGH OF KNOWSLEY**

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**

Application No: 01/00632/FUL
Date of Receipt: 17.09.2001
Date Valid: 30.11.2001

**Name and address of applicant**
Mr A Gielty
Lyncroft Farm
Butchers Lane
Aughton

**Name and address of agent**
Michael Cunningham
Derby Chambers
Derby Street
Ormskirk
Lancs
L39 2BY

**Address or location of development**
Sandy Lane Farm Cut Lane Knowsley Industrial Park Knowsley L33 3AJ

**Nature and particulars of application**
ERECTION OF 1 NO LIVESTOCK BUILDING, 8 NO POLYTUNNELS AND CARAVAN FOR TEMPORARY RESIDENCE

The Council of the Metropolitan Borough of Knowsley hereby give notice in pursuance of the above Act(s) that Planning Permission has been granted for the carrying out of the development referred to above in accordance with the application and plans submitted subject to the following condition(s):

1. The development must be begun not later than the expiration of five years beginning with the date of this permission.

   Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. No part of the development hereby permitted shall be commenced until details of the proposed external facing materials to be used on the walls and roof of the livestock building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The livestock building shall only be erected in accordance with the agreed details.

   Reason: In the interests of visual amenity and to comply with policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

3. No part of the development hereby permitted shall commence until full details of the access, access road and any area of hardstanding including a drawing at 1:200 scale and details of surfacing has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be installed prior to any part of the development coming into use and shall be maintained in accordance with the agreed details at all times that the site is use for any part of the development hereby permitted.

   Reason: For the avoidance of doubt and in the interests of road safety and to accord with policy T12 of the Knowsley Unitary Development Plan, adopted June 1998.

4. The site shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the start of development.

   The scheme shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of the livestock building or polytunnels, which ever comes first. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

   Reason: In the interests of visual amenity and to comply with policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

5. The occupation of the caravan shall be limited to a person solely or mainly employed in connection with the agricultural development hereby permitted as defined in Section 336 of the Town and Country Planning Act 1990.

   Reason: The site is located within the approved Knowsley Green Belt, as defined in the Knowsley Unitary Development Plan. This plan, in accordance with national planning guidance, sets a strong presumption against most forms of residential development. Permission has only been granted in the light of the agricultural need.

6. The caravan hereby permitted shall be removed and the land reinstated to its former condition, including the removal of all ancillary works and structures (not including the polytunnels nor the livestock building) at or before the expiry of a period ending on 31 August 2005 unless a further application for a renewal of the permission of a planning application for a permanent building has been previously submitted and approved by the Local Planning Authority

   Reason: To enable the Local Planning Authority to re-assess the proposal on the expiry of the permission having regard to the economic viability of the agricultural enterprise and to comply with AI of PPG7.

7. No part of the development hereby granted permission shall be commenced until details of sewage disposal have been submitted to and approved in writing by the Local Planning Authority. When assessing the suitability of the site for septic tank drainage, a percolation test shall be undertaken by a suitably qualified and experienced person in accordance with the appropriate current British Standards. The caravan and livestock building hereby permitted shall not come into use until the details of the sewage disposal have been implemented in full.

   Reason: To ensure a satisfactory provision of sewage disposal facilities and in the interests of residential amenity and to comply with Policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

8. No part of the development hereby granted permission shall be commenced until a scheme has been submitted to by a person(s) the identity of whom has been previously agreed in writing by the Local Planning Authority and approved in writing by the Local Planning Authority for the stripping of the soil on the site of the access road, livestock building and areas of hardstanding. The scheme shall include details of the storage and re-use of the soil removed.

   Reason: To ensure that the topsoil of Best and Most Versatile Land is not developed on and to comply with Policy G11 of the Knowsley Unitary Development Plan, adopted June 1998.

9. No livestock shall be kept on the yard area or any hardstandings approved as part of the scheme required by condition 2 of this planning permission.

   Reason: For the avoidance of doubt and to accord with the terms of the letter submitted by the agent dated 10 April 2002, and in the interests of residential amenity.

10. No part of the development hereby permitted shall be commenced until the planting along the western boundary of the access road and the southern boundary with Sandy Brow Farmhouse/Hawthorne Cottage have been protected by fencing, of a minimum height of 1.2 metres, which shall use vertical or horizontal scaffolding poles or stout fencing with the uprights driven well into the ground. The fencing shall be erected in a location to be submitted to and agreed in writing by the Local Planning Authority and retained in the approved position until the development is completed.

No storage of plant or material (including soil), works (including improvement of soil, changes in ground level, vehicular movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing hereby defined.

Reason: To protect existing trees and other planting along parts of the western and southern boundaries of the site and to comply with Policy En14 of the Knowsley Unitary Development Plan, adopted June 1998.

11. At least two working days written notice shall be given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in condition 9 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority.

Reason: To ensure that the proper protection of trees and other planting has been carried out in the interests of visual amenity and to comply with policy En14 of the Unitary Development Plan.

Graham Smith

**Director Of Planning And Development**

**Date: 01.08.2002**

**IMPORTANT NOTES FOR YOUR ATTENTION:**

1. **This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.**

2. **This permission refers only to those plans submitted as part of the Planning Application a copy of which is retained by the Local Planning Authority. The Local Planning Authority should be contacted in writing if it is proposed to amend these plans in any way as a further permission, may be required.**

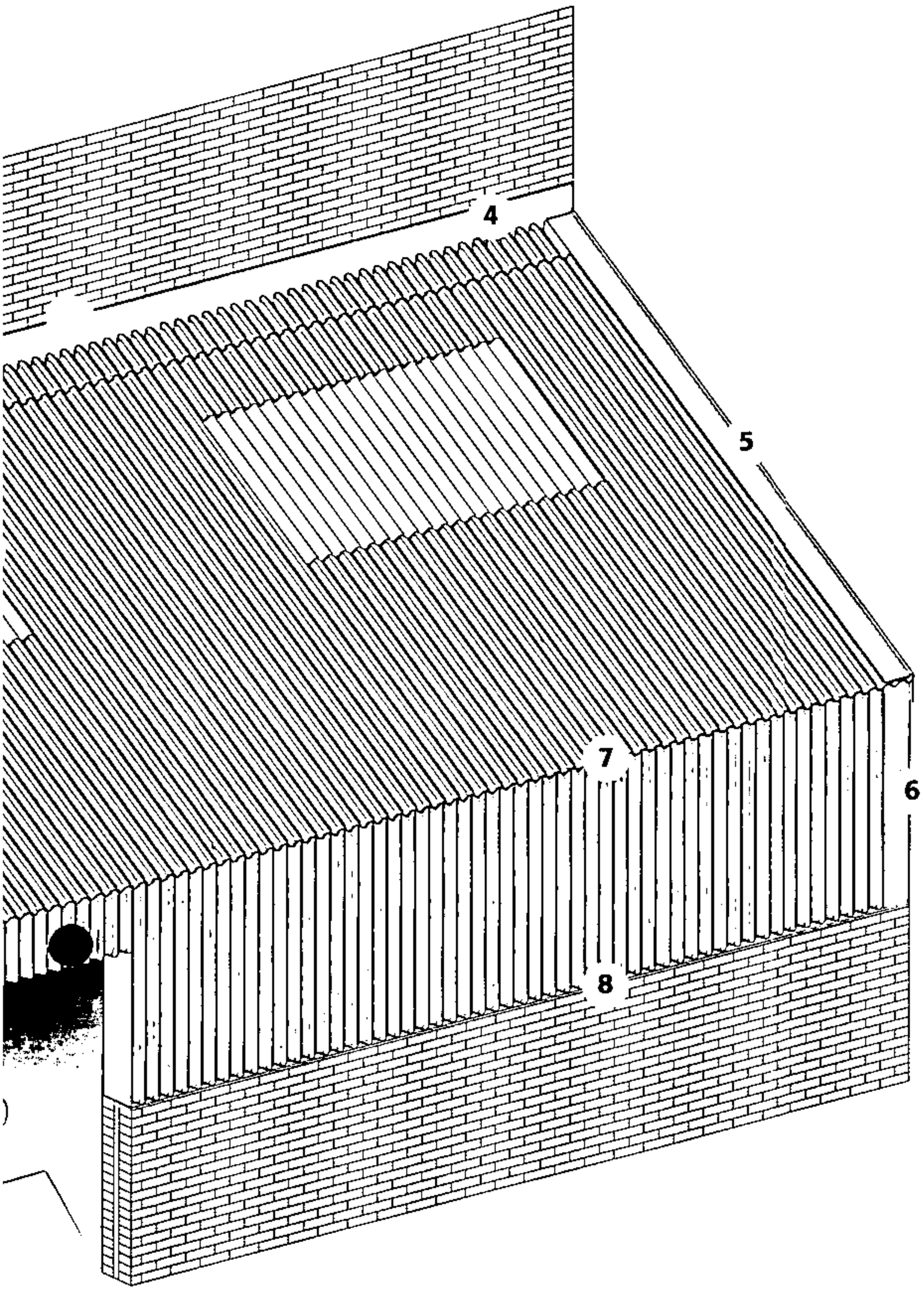
3. **If a Building Regulations Consent is required for these works it is <u>your</u> responsibility to ensure that the plans submitted for both the Building Regulations Consent and Planning Permission are the same in all respects. Should the plans relating to one consent vary from the other, it will be necessary for you to submit amended plans to this Department and obtain the relevant approval(s) prior to commencing any works.**

4. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to condition, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form, which is obtainable from the Department of the Environment). See address below. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning/authority was based on a direction given by him.

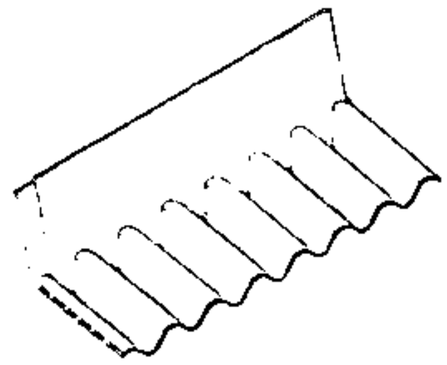
5. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the secretary of state for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

6. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and country Planning Act 1990.

Department of the Environment, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

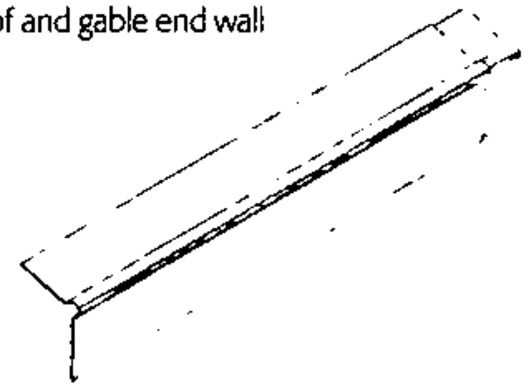



**Apron flashing** for weathering top of mono-pitch lean-to roofs



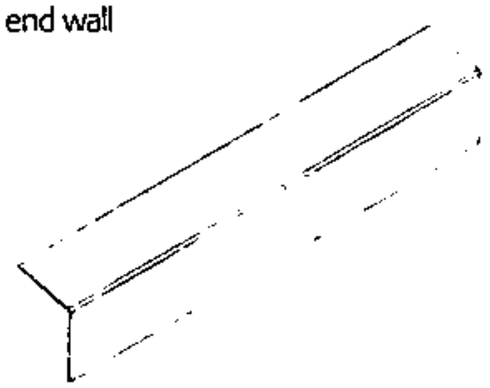
4

**Roll top bargeboard** – decorative trim for corner junction of roof and gable end wall



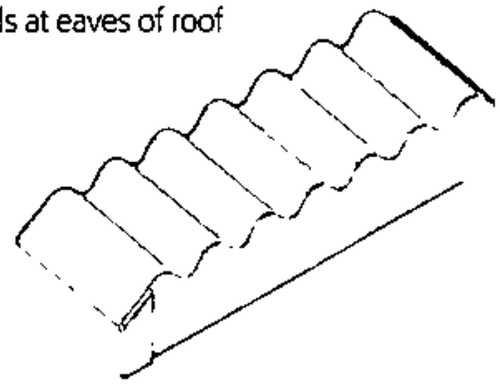
5

**External corner** plain wing cover trim for wall-to-wall and roof to gable end wall



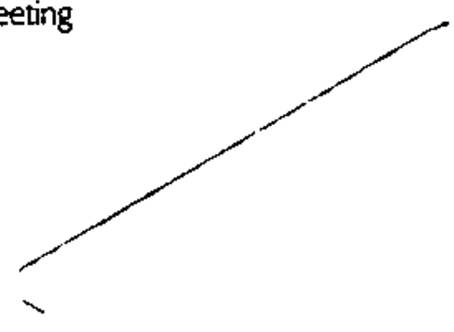
6

**Eaves corrugation closer** for blanking off corrugation voids at eaves of roof

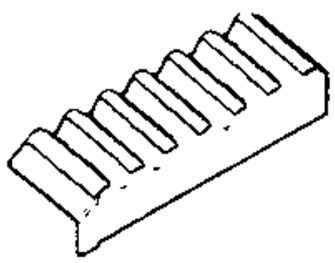
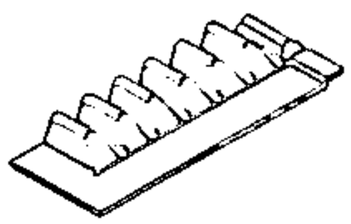
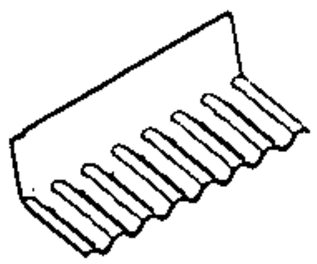
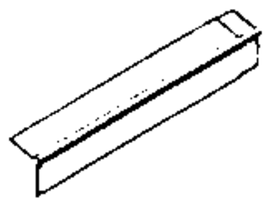
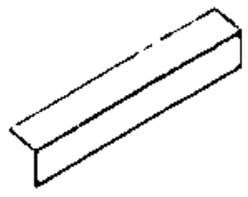


7

**Horizontal flashing piece** – used at junction of vertical sheeting above a wall or at a designed interruption of sheeting



8

| | PROFILE 3 | | PROFILE 6 | |
|---|---|---|---|---|
| | Cover Width | Size | Cover Width | Size |
| **Eaves Corrugation Closure**  | 650.8 | 75 Back | 1016 | 65 Back<br>100 Back<br>125 Back<br>150 Back |
| | P3 Handed Left & Right<br>P6 Universal | | | |
| **Eaves Filler**  | 650.8 | | 1016 | |
| | P3 Handed Left & Right<br>P6 Universal | | | |
| **Apron Flashing**  | 650.8 | 120° | 1016 | 124° |
| | Handed Right | | Handed Left | |
| **Roll Top Barge Board**  | 1800 (1650 Cover)<br>2400 (2250 Cover)<br>3000 (2850 Cover)<br>Farmscape: 1525 & 2440 | | 200 Wing | |
| **External Corner**  | 1800 (1650 Cover)<br>2400 (2250 Cover)<br>3000 (2850 Cover) | | 200 Wing<br><br>300 Wing | |
| **Horizontal Flashing Piece**  | 2080 (2032 Cover)<br>75 mm projection for single cladding<br>140 mm projection for double cladding | | | |



*Whilst Eternit profiled sheeting is easy to install, the following guidelines should be observed*

1 The sheets should be installed smooth surface up.
2 The sheets should be cut with a hand saw or slow speed reciprocating power saw.
3 All fixing holes should be drilled, not punched, and should provide adequate clearance for the fastener shank (minimum 2 mm).
4 There should be two fixings per purlin or rail covered at the fixing points shown on page 5.
5 When using power tools in a confined area, dust extraction equipment is advisable.
6 The dust and swarf generated when working with the sheets does not require any special handling requirements other than normal good housekeeping to maintain a clean working area.

## FIXING

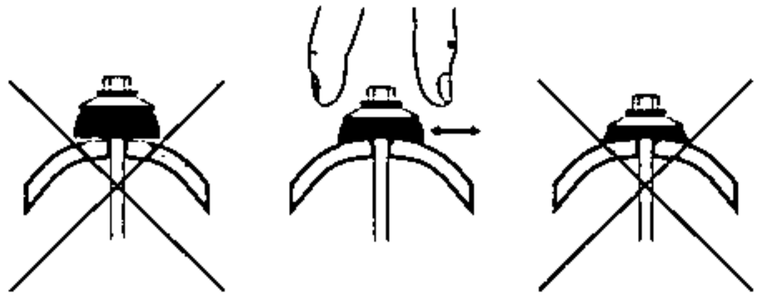
The correct fixing of a sheet is important in order to avoid premature failure, corrosion or leaks in a roof. Many factors influence the fixing of a roof, such as the purlin or rail type and the nature of the roof in question. Particularly important is the type of fastening system used and compliance with the manufacturer's recommendations.

When fixing Eternit Profile 6R fibre cement profiled sheeting on roof slopes up to 30° (double skin up to 15°) we recommend the use of topfix fasteners from SFS Stadler Limited. These fasteners provide a quick and effective one step fixing operation. However, they must be installed using the recommended depth locating powertool to prevent under or over tightening, which can damage the roof sheets.

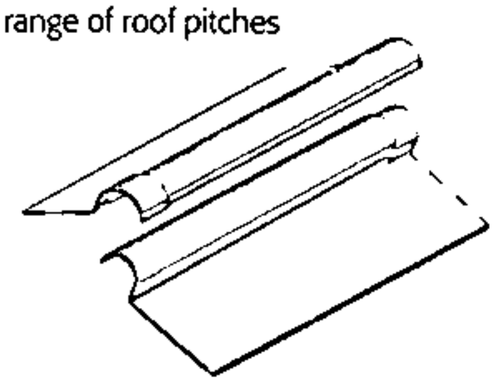
When topfix fasteners are not used, the recommended fastener diameter is 8 mm, which requires a clearance hole of 8 mm + 2mm = 10 mm. If using drive screws, the holes should be located centrally on the timber purlins; for hook bolts or similar the hole should be located 4 mm upslope from the back edge of the purlin. 6 mm diameter fasteners can be used for Profile 3.

**Note** In all instances the Sela washers and protective caps manufactured by SFS Stadler Ltd should be utilised to ensure adequate weather protection.

## CHECKING THE TOPFIX FASTENERS FOR TIGHTNESS

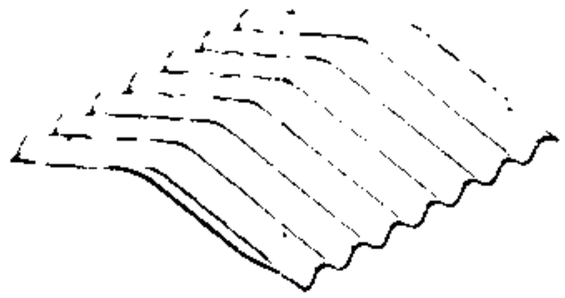


**Two-piece plain wing ridge cover**
adjustable over range of roof pitches



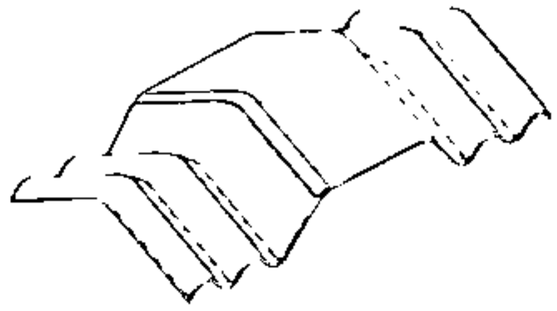
1

**Cranked crown sheet** for covering apex of roof



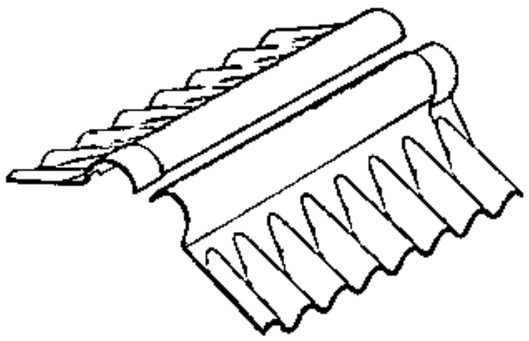
2

**Ventilating cranked crown** for ventilation at apex of roof



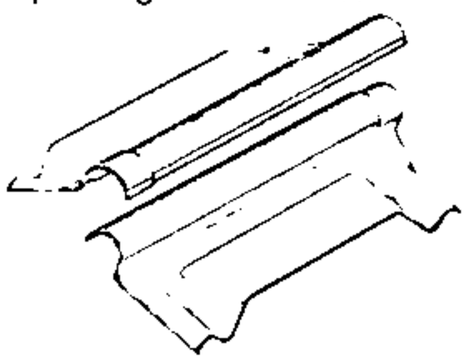
3

**Two-piece close fitting ridge cover** with profile wings adjustable over range of roof pitches



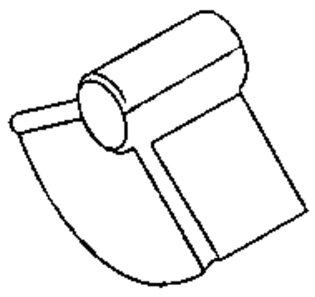
12

**Two-piece ventilating ridge cover** adjustable over range of roof pitches providing natural ventilation



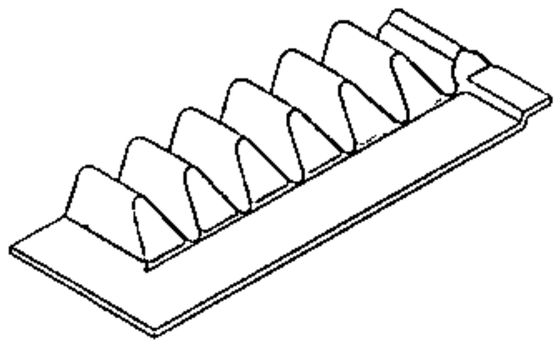
11

**Hooded two-piece ridge finial** made to suit roll top barge boards with two-piece adjustable ridge only. Profile 6R only

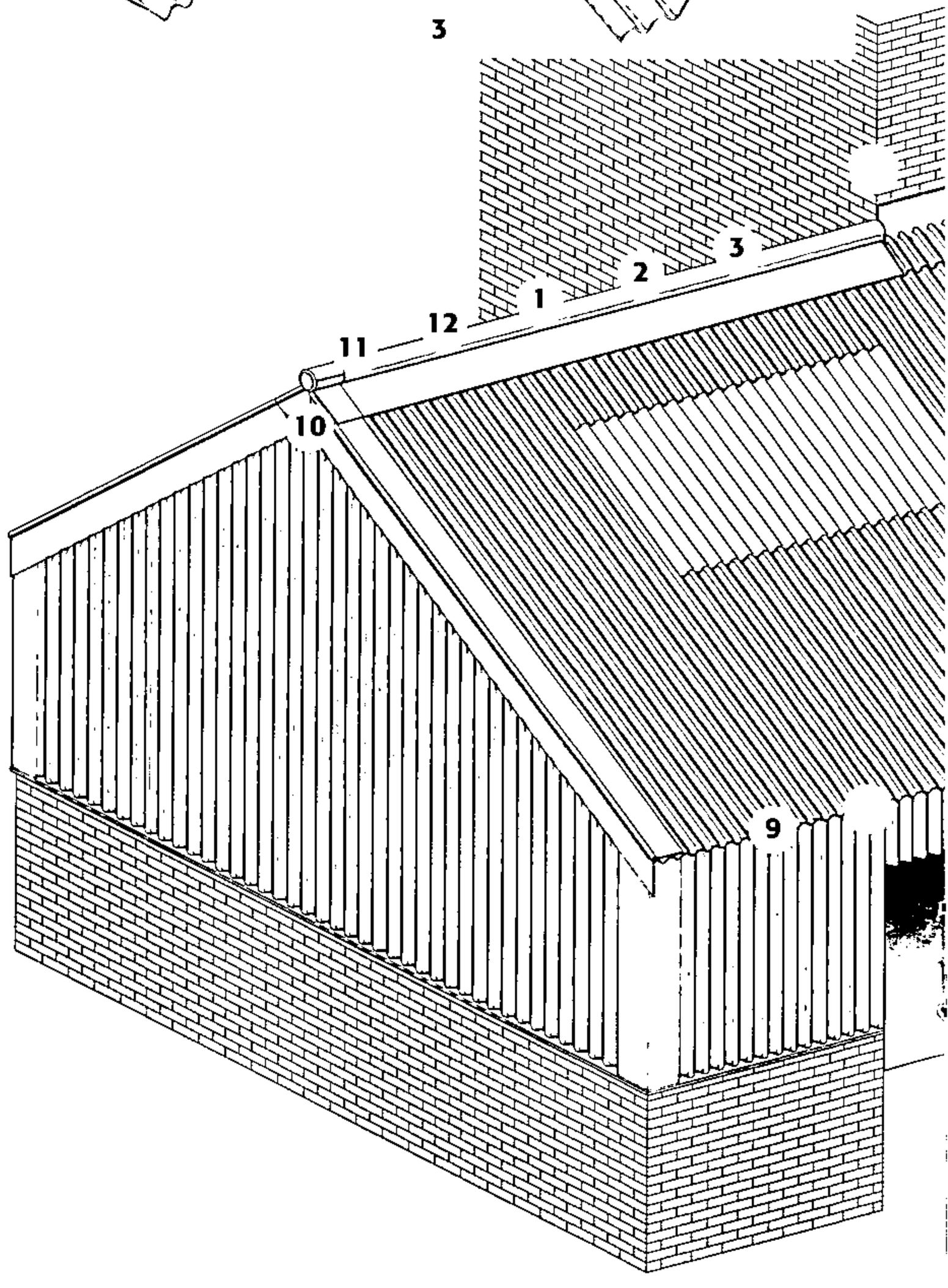


10

**Eaves filler** for blocking corrugation voids at eaves of roof



9



**Lap** – This describes how much one sheet overlaps another at either the end (end lap) or the side (side lap).

**Pitch** – This describes the degree to which the roof slopes.

## GUIDANCE PROCEDURE

### Step 1 Exposure

Determine the expected degree of exposure by examining the adjacent map.

### Step 2 Centres of support

Support centres for roof sheeting should be a maximum of 1375 mm for Profile 6R, or 925 mm for Profile 3, for a superimposed load of up to 1.89 kN/m². There should be two fixings per sheet, per purlin. *Where windloadings exceed this level, please contact the Eternit Technical Department for advice before proceeding.*

### Step 3 Lap and seal

Establish requirement for lapping and sealing by reference to the exposure zones map of the UK and the table below. See page 11 for sealing details.

### Step 4 Fixings

## SHELTERED AND MODERATE SITES

**Less than 56.5 l/m² wind driven rain per spell**

| Minimum Roof pitch | End lap mm | Lap treatment End laps | Side laps |
|---|---|---|---|
| 22.5° and over | 150 | Unsealed | Unsealed |
| 15° and over | 300 | Unsealed | Unsealed |
| 15° and over | 150 | Sealed | Unsealed |
| 10° and over | 150 | Sealed | Sealed |

## MODERATE AND SEVERE SITES

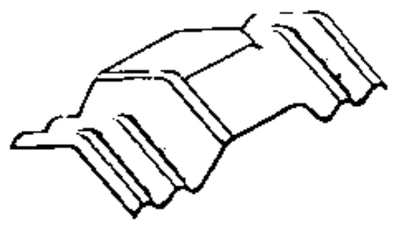
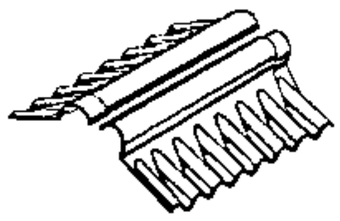
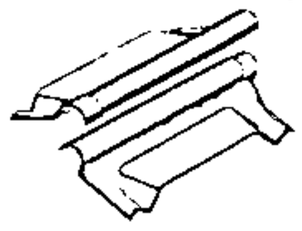
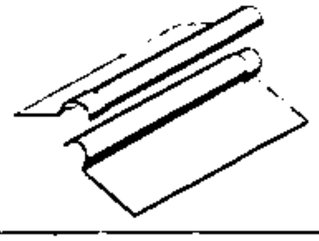
**More than 56.5 l/m² wind driven rain per spell**

| Minimum Roof pitch | End lap mm | Lap treatment End laps | Side laps |
|---|---|---|---|
| 25° and over | 150 | Unsealed | Unsealed |
| 17.5° and over | 150 | Sealed | Unsealed |
| 15° and over | 150 | Sealed | Sealed |
| 10° and over | 300 | Sealed | Sealed |

**Note** On roofs over 10° pitch where parapets might allow snow build up, 300 mm double sealed end laps and single seal side laps are recommended. The minimum pitch for Profile 6R is 5°. Where slopes are between 5° and 10° the maximum slope length should be 15 m with double sealed end laps and single sealed side laps.



Dimensions are stated in mm, ADJ = Adjustable, Back = Effective leg length

| | PROFILE 3 | | PROFILE 6 | |
|---|---|---|---|---|
| **Cranked Crown Sheet**  | N/A | | Girth 750 or 900 | Size 5° 7.5° 10° 12.5° 15° 17.5° 20° 22.5° |
| | Cover Width | | Cover Width | |
| **Ventilating Crank Crown**  | N/A | | (750 girth) 1016 | |
| **Two-piece Close Fitting Ridge**  | 650.8 | ADJ | 1016 | ADJ |
| **Two-piece Ventilating Ridge**  | 650.8 | ADJ | 1016 | ADJ |
| **Two-piece Plain Wing Ridge**  | 650.8 | ADJ | 1016 | ADJ |
| **Hooded two-piece ridge finial**  | | | | ✓ |

**Note** Cover widths indicated make allowance for overlap

When using profiled sheeting the windloadings of a location are critical to ensure the optimal sealing requirements.

| Exposure Zones | Approximate wind driven rain (litres/m² per spell) |
|---|---|
| | less than 56.5 |
| | equal to or greater than 56.5 |



Map based on BS 5534: Part 1: 1997, Figure 1

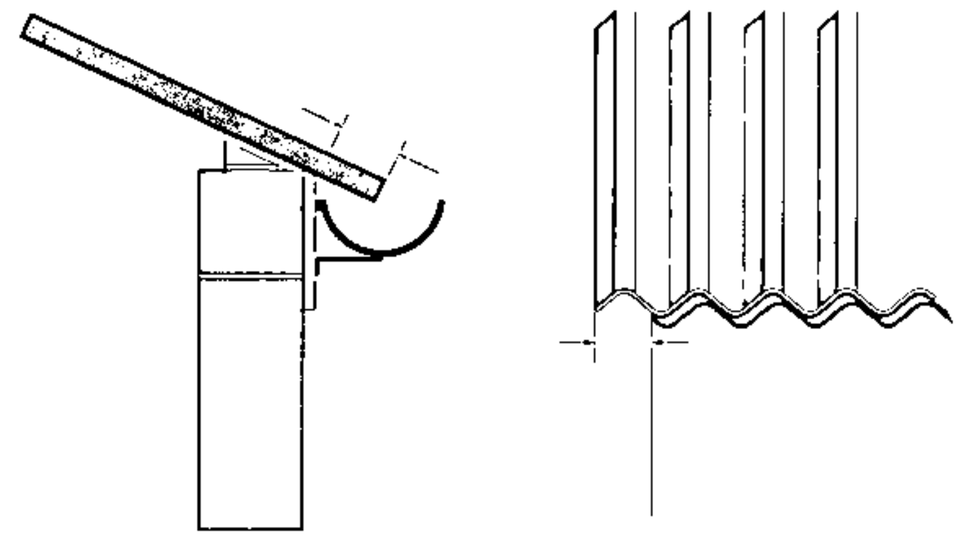
**Note** When buildings stand above their surroundings or are situated in open country with no windbreaks within 1 km, they should be considered subject to severe exposure conditions.



## OVERHANGS

Sufficient overhangs must be allowed at the eaves to ensure that rainwater discharges into the gutter.

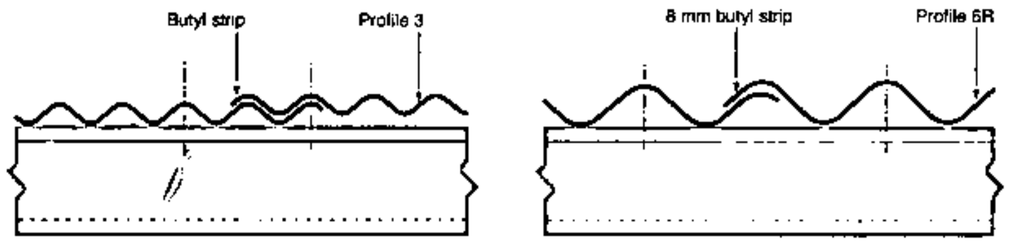
Verges must be overhung by one complete corrugation unless a bargeboard is used.



## SIDE LAPS

### Sealing

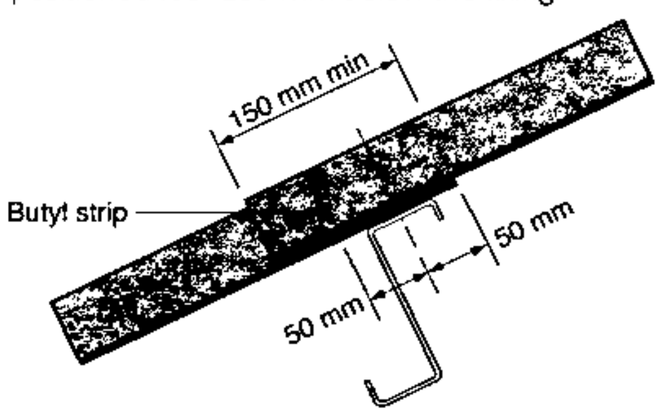
Where appropriate, 8 mm diameter butyl strips should be positioned as shown.




## END LAPS

The minimum end lap for either Profile 3 or Profile 6R is 150 mm, fixed as shown in the section below.

Where double sealing is necessary, the second butyl strip should be positioned 100–200 mm below the fixing.




**Note** See page 7 for lap and seal requirements.

The fixing of a fibre cement roof can be accomplished by most people if they follow these ten easy steps in conjunction with the illustrations opposite. In order to weatherproof the roof, the butyl strip must be installed as described on page 11, and mitres cut to avoid having four thicknesses of sheeting in the same plane at the junctions of sides and end laps.

1 Lay sheet number 1 at the eaves without mitring.
2 Lay sheet number 2, mitring bottom right hand corner as per the illustration opposite.
3 Lay sheet number 3, mitring as per step 2. Continue up the roof slope to complete the first tier.
4 Lay sheet number 4 at the eaves of the next tier, mitring the top left hand corner as per the illustration opposite.
5 Lay sheet number 5, mitring both top left hand and bottom right hand corners as per illustration opposite, and continue up the slope until ready to lay sheet number 6 at the ridge.
6 Lay sheet number 6 at the ridge, mitred as per step 2.
7 Repeat the procedure from and including step 4, working across the roof from eaves to ridge, until there is room for only one more tier to be laid, on the right hand edge.
8 Lay sheet number 7, mitring the top left hand corner. If necessary, reducing the sheet width by cutting down the right hand edge. All subsequent sheets in this final tier should be cut accordingly.
9 Lay sheet number 8 as per step 7, continuing up the roof slope until ready to lay the final sheet at the ridge.
10 Lay sheet number 9 at the ridge without mitring to complete the roof.

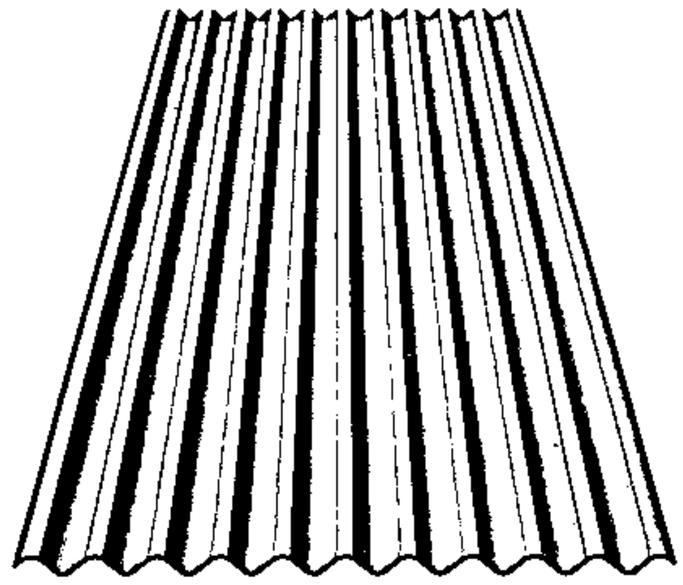
**Notes**

1 On a duo pitch roof start both slopes from the same end of the building. One slope will therefore be sheeted left to right, the opposite slope will be sheeted right to left.
2 The corrugations of sheets must line up at the apex to ensure that the ridge accessories will fit.
3 When cranked crown sheets are used, both top courses of roofing sheets and the cranked crowns themselves must be mitred.
4 Always lay sheets with the correct end and side laps , as detailed elsewhere in this booklet.
3 ***Do not cut mitres in situ.***

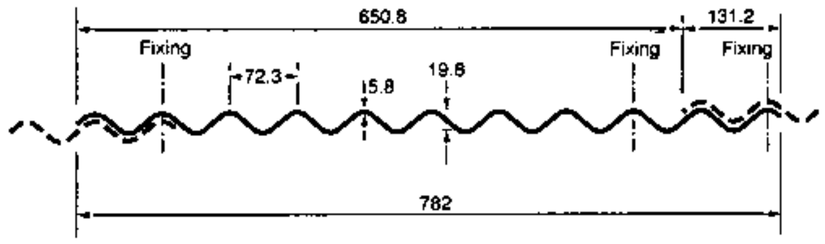


## PROFILE 3

The lower profile of this product makes it particularly suitable for a range of domestic, agricultural and light industrial buildings. It can be laid to a minimum roof pitch of 10°.



PROFILE 3



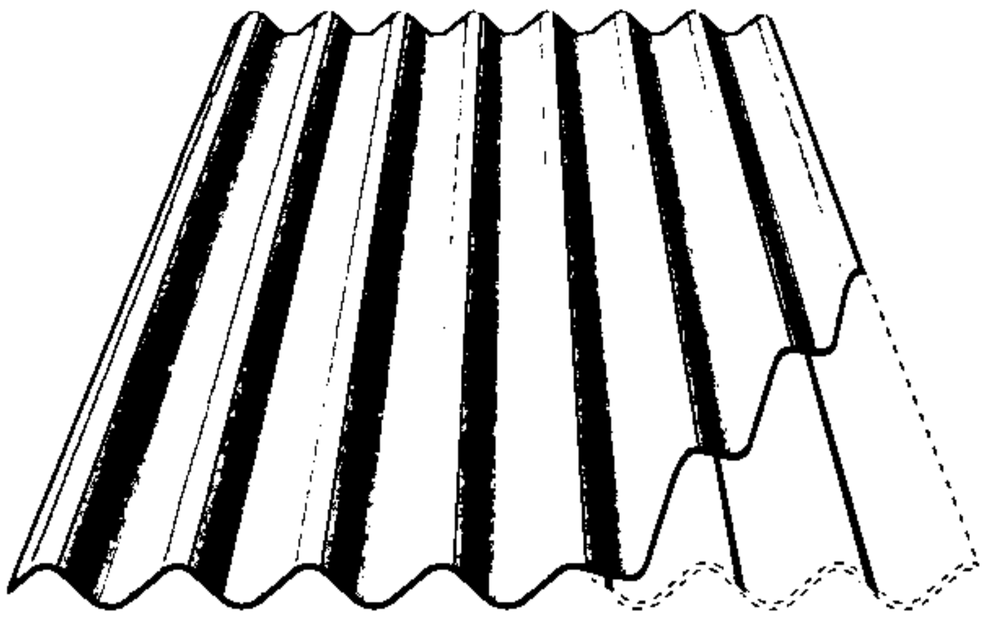

**Profile 3 sheet lengths** 1375, 1525, 1675, 1825, 2125, 2450, 2600, 2750 and 3050 mm

| TECHNICAL DATA | PROFILE 6R | PROFILE 3 |
|---|---|---|
| Overall width | 1086 mm | 782 mm |
| Net covering width | 1016 mm | 650.8 mm |
| Thickness (nominal) | 6.7 mm | 5.8 mm |
| Density (nominal) | 1450 kg/m³ | 1450 kg/m³ |
| Pitch of corrugations (nominal) | 146.5 mm | 72.3 mm |
| Depth of profile | 47.6 mm | 19.8 mm |
| Profile height category | C | A |
| Side lap | 70 mm | 131.2 mm |
| Minimum end lap | 150 mm | 150 mm |
| Maximum purlin centres | 1375 mm | 925 mm |
| Maximum rail centres | 1825 mm | 1525 mm |
| Maximum unsupported overhang | 350 mm | 250 mm |
| Approx. weight of roof as laid, with 150 mm end laps, single skin including fixings | 17 kg/m² | 14.5 kg/m² |
| Minimum roof pitch | 5° | 10° |

## PROFILE 6R AND SAFETY IN ROOF WORK

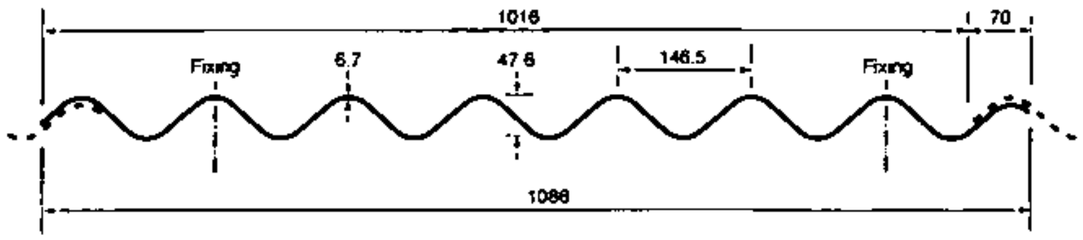
When correctly installed, Profile 6R has been tested and classified as non-fragile, and must be considered when working to the roof safety requirements of HSG 33. In addition, Profile 6R has also passed the French and Danish standards with flying colours.

Profile 6R is a high strength fibre cement sheet with polypropylene reinforcement strips inserted along precisely engineered locations which run for the full length of the sheet in each corrugation. This provides maximum reinforcement strength with no loss of durability in service.



**The cut-away illustration above shows the location of the polypropylene reinforcement strip inserted in a precisely engineered position in each corrugation of the Profile 6R sheet.**

### PROFILE 6R



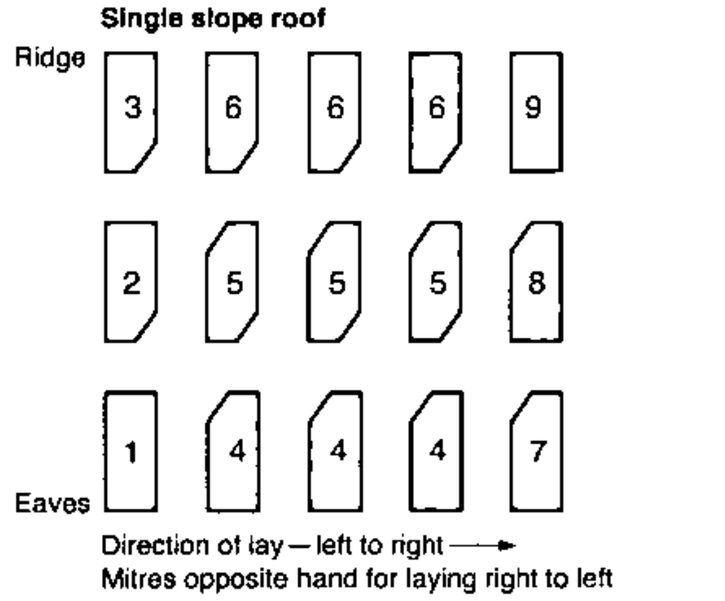

**Profile 6R sheet lengths** 1525, 1675, 1825, 1975, 2125, 2275, 2440, 2600, 2750, 2900 and 3050 mm

## OTHER PRODUCTS

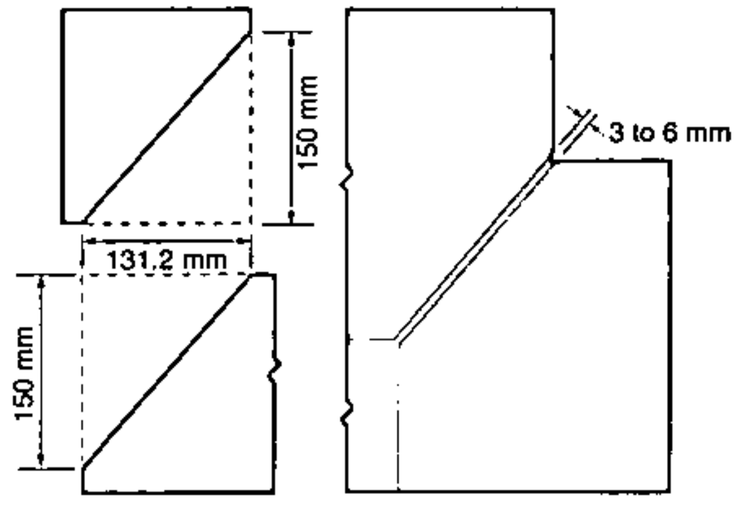
In order to ensure full compliance with HSG 33, ridges and rooflights must also be upgraded. Eternit can supply a full range of fittings to ensure that the complete roof is non-fragile – see pages 8 to 9 for details.



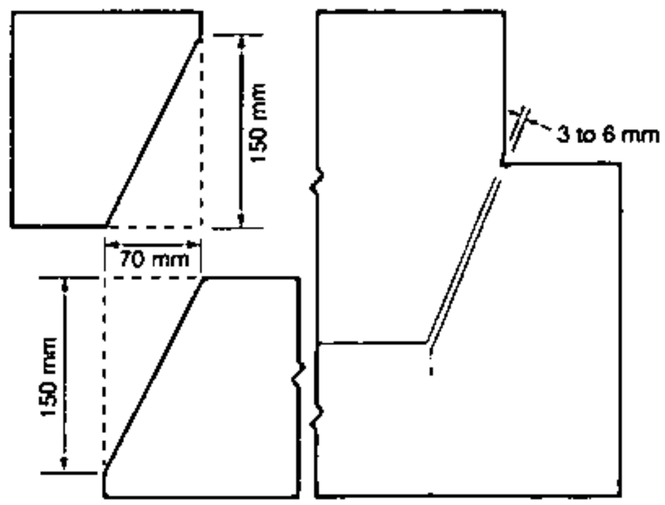
### MITRING PLAN SINGLE SLOPE ROOF




### MITRING PROFILE 3




### MITRING PROFILE 6R



1 When handling sheets, lift by the ends only.
2 Stack sheets on firm, level ground to a maximum height of 1 m. If on bearers, use at least 2 bearers for sheets up to 1.5 m long and at least 3 bearers for longer sheets.
3 Protect from damage. Store as close as possible to fixing site, allowing room for handling.
4 Stack smooth face up.
5 Protect from wind by stacking in a sheltered position or by holding down top sheets with ropes, weights or clips.
6 A separate stack should be made of each length of sheet. If this is not possible, stack with the smallest on top and the longest at the bottom.
7 If the sheets have been delivered in shrink-wrapped polythene, this should be retained for as long as possible. Partially used stacks should be protected from the weather by extending the top sheets 200 mm at each end.
8 After installation please note that due to the vapour permeability of Eternit fibre cement profile sheeting, dampness may appear on the underside of the sheet. This is a well known temporary phenomenon and will disappear following successive wet and dry periods.
***It in no way affects the weatherproof quality of the sheets.***

## SAFETY

- The structure should be adequately prepared for the sheets.
- The position and fixing of all purlins and rails should be checked before starting sheeting.
- Ensure there is proper access to the roof.
- Workmen should not work directly beneath the area being sheeted.
- Provide a scraper at the bottom of all ladders to remove mud from boots.
- Sheeters should wear suitable clothing: wear boots or shoes (not Wellington boots), avoid loose, flapping clothing, avoid trousers with turn-ups.
- Treat as a fragile roof and always use crawling boards, roof ladders or walkways.



## ETERNIT PROFILE 3 AND PROFILE 6R

Eternit Building Materials, the Country's largest manufacturer of fibre cement products, has been producing profiled sheeting for over 90 years. Today, we offer two ranges of profiled sheeting – Profile 3 and Profile 6R – to a wide range of customers. The products are differentiated by the size of corrugation in the sheets; Profile 3 having smaller corrugations than Profile 6R.

Both types of sheet are manufactured from a selected blend of Portland cement and water. This is reinforced with a mixture of both natural and synthetic fibres. The longevity of this formulation has enabled Eternit to offer a 30 year guarantee on our sheets and fittings.

Eternit Building Materials have always worked to improve safety when using our range of roofing and cladding products. Building upon over 90 years experience in the UK roofing industry we have developed a purpose designed, reinforced fibre cement sheet – Profile 6R – that meets the high standards of safety in roofing work set out in the Health and Safety Executive document 'Health and Safety in Roof Work' (HSG 33). In addition to the Profile 6R sheet, we are proud to be able to offer a complementary range of accessories that meet the same high standards of safety.

Eternit fibre cement profiled sheeting is manufactured in accordance with a quality system registered under BS EN ISO 9002. They also hold British Board of Agrément Certificate No. 00/370.

## WHICH PROFILE?

The decision to use Profile 3 or Profile 6R sheets will depend largely upon the following four criteria:

1 The scale of the building in question.
2 Compatibility with any existing materials.
3 The distance from centre to centre of the horizontal fixing rails or purlins.
4 Whether or not the roofing material is to be classified as non-fragile.

Reference should therefore be made to the sheet sizes, fixing details and product data provided in this leaflet before deciding which type of profiled sheeting to use.

## CONTENTS


| | |
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| Mitring guide | 13 |
| Working with fibre cement roofing sheets | 14 |
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## WHY CHOOSE ETERNIT FIBRE CEMENT PROFILE SHEETING?

- Highly cost effective weatherproofing
- Virtually maintenance free
- No rust, rot or corrosion
- Resistant to chemical attack
- Vapour permeability reduces condensation
- Excellent noise and thermal insulation
- Quick and easy to install and fix
- Wide product and colour range
- 30 year guarantee
- Unbeatable after sales service



- Workmen should not be allowed to use the roof as a working platform during sheeting.
- Materials should not be stacked on the roof.
- It is possible for one man to safely handle smaller sheets at roof level on a calm day. However, safe handling of profiled sheets on a roof may require two men in certain circumstances.
- Two men are always required to lay the eaves course and the sheets above rooflights.
  Always lay the sheets in accordance with the approved sequence.
- Do not cut the sheets in a confined space since nuisance dust will be created.
- Remove all loose material from the roof as the work proceeds.
- Always fully fix the sheets as the work proceeds.
- Do not leave tools on the roof surface.
- Avoid deflecting a sheet whilst attempting to force a bearing.
- Sheets should be laid in tiers from the eaves to the ridge, thereby allowing easier use of crawling boards.
- Correct staging should always be laid over the purlins ahead of the sheeting.
- Where regular access is required to reach roof lights, ventilation and service ducts, properly constructed walkways should be provided.
- Take extra care on a roof during windy, wet or frosty weather.
- Take extra care on painted sheets whose surface will be more slippery than natural grey sheets.
- Do not step on side lap corrugations.

***In addition to the Construction (Design and Management) Regulations 1994 (CDM), always observe the relevant provisions of the Health and Safety at Work legislation currently in force.***

November 2002

## OTHER ETERNIT PRODUCTS

**Profiled sheeting** Other profiles, curved sheets and fittings
**Claddings** A variety of high performance claddings
**Boards** General purpose boards for partitioning, lining and external use
**Rooflights** PVC, GRP and Polycarbonate types available
**Rainwater** PVCu and fibre cement systems available
**Clay tiles** A variety of tile types and special tiles available

For further information please contact Eternit Building Materials.

## TERMS AND CONDITIONS

1 Nothing in this literature or other documents or designs issued by or on behalf of Eternit shall create or be deemed to create any obligation, whether expressed or implied, on Eternit under the Construction (Design and Management) Regulations 1994 whether, without limitation, as designer or contractor under these regulations.

2 Eternit Building Materials will only trade with listed customers and all trading shall be subject to Eternit's conditions of supply of goods and services, as amended from time to time, a copy of which is available on request.

3 Eternit's employees or agents are not authorised to make any representations, or give any advice or recommendations, concerning any goods or services unless confirmed by Eternit in writing.

Eternit's policy is one of continuous development. We therefore reserve the right to change designs and specifications without prior notice. All products are subject to our Terms and Conditions of Sale, copies of which are available on request. The information, illustrations, etc, in this publication were correct at the time of going to press.

Eternit profiled sheeting is manufactured in Great Britain in accordance with a quality system registered under BS EN ISO 9002.

Samples of Profile 3 and Profile 6R have been shown to conform with the provisions of BS EN 494: 1994, Class A1X (Profile 3) and Class CIX (Profile 6). BBA Certificate No 00/370 refers.

**ETERNIT BUILDING MATERIALS**
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Hertfordshire SG8 5RL

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When phoning, please quote reference: PFL 10

BUILDING MATERIALS
PROFILED SHEETING
CLADDING
CLAY TILES

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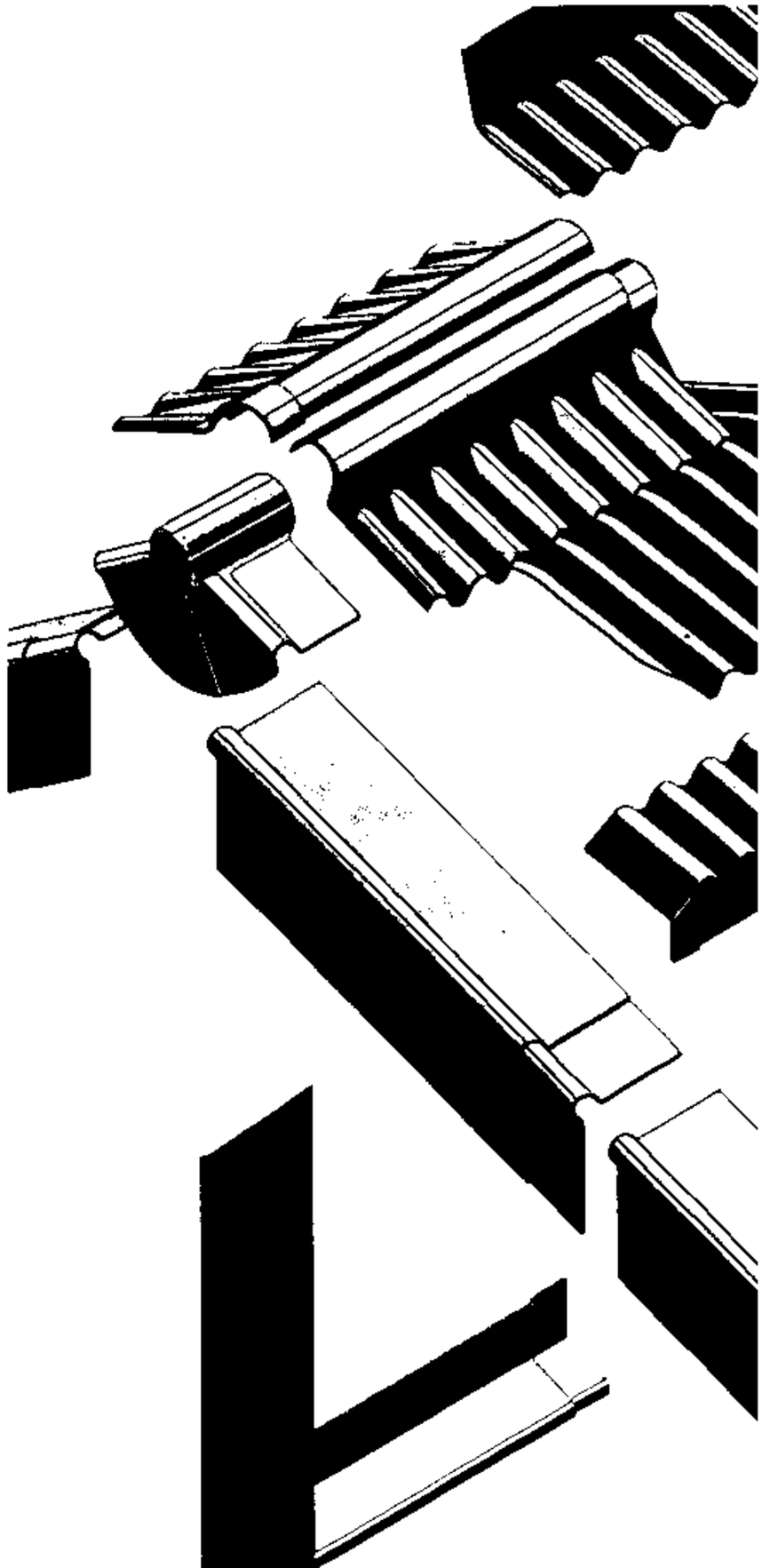
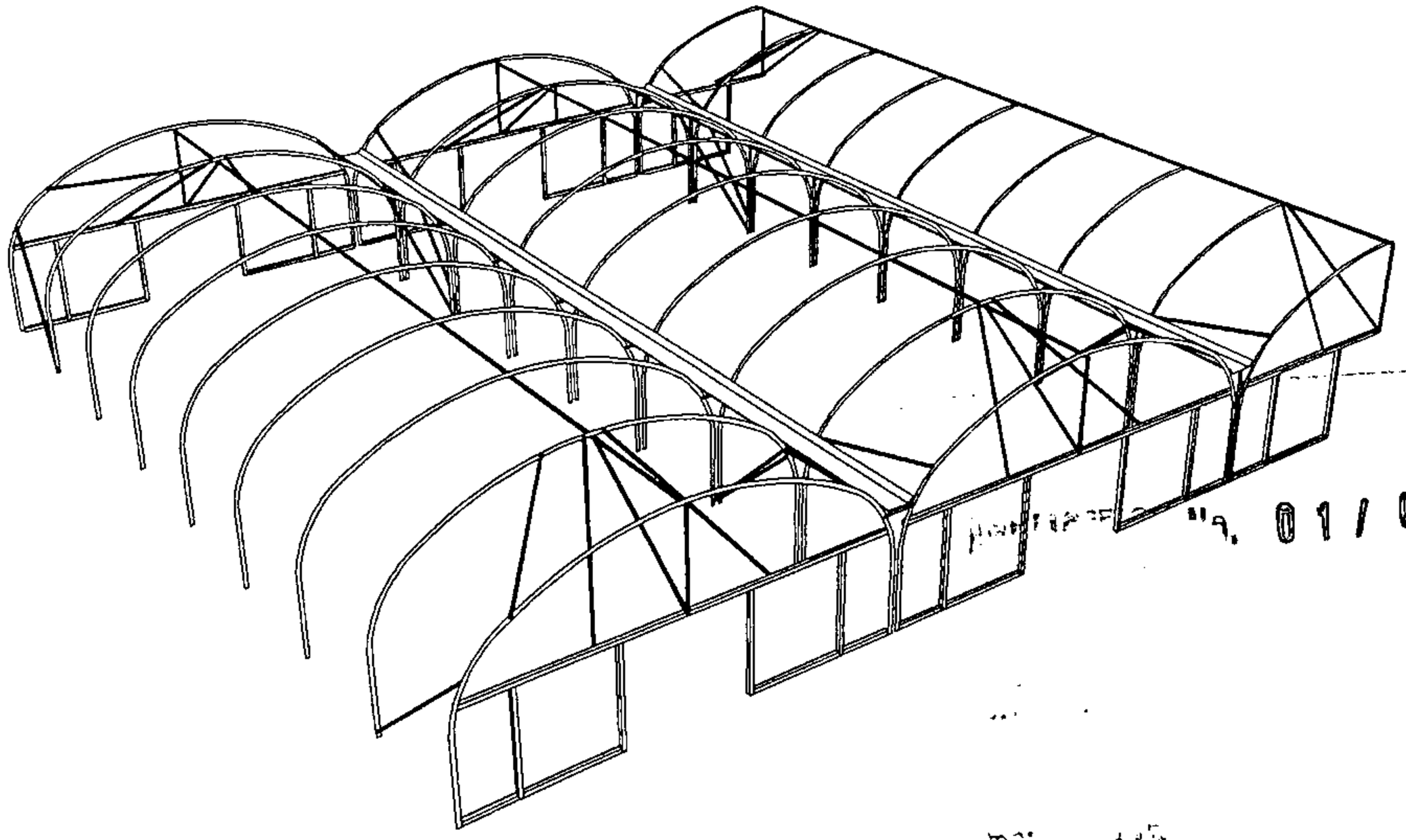
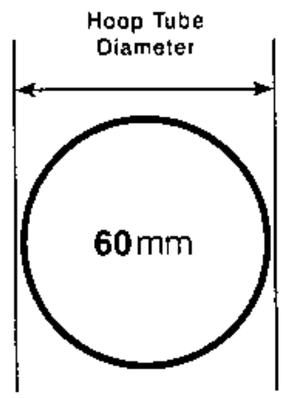
BUILDING MATERIALS
PROFILED SHEETING

# CHOOSING AND USING



# 26ft LINKSPAN WITH STEEL GUTTERS 26ft






**26**ft (7.9m)

The 26ft span Linkspan has similar features to the 21ft Standard, but goes up to 60mm high tensile tube. It is ideal in either twinspan or multispan format for a wide range of vegetable, fruit or ornamental crops.

Irrigation kits include a header feed line.

01/00632/FUL

17 SEP 2001

| | |
|---|---|
| **Ridge height** | 12ft 6ins (3.8m) |
| **Gutter height** | 7ft (2.1m) |
| **Vertical side height** | 5ft (1.5m) |

13 JUL 2001

*Length in feet – prices in £ sterling*

| *Option* | | 40 | 48 | 56 | 64 | 72 | 80 | 88 | 96 | 104 | 112 | 120 | 152 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Framework** | for *first* 2 spans – *52ft* | 1600 | 1744 | 1892 | 2042 | 2192 | 2340 | 2492 | 2642 | 2796 | 2950 | 3102 | 3768 |
| | per additional span – *26ft 3ins* | 1200 | 1308 | 1420 | 1532 | 1644 | 1756 | 1870 | 1982 | 2096 | 2212 | 2326 | 2826 |
| **Polythene 720g** | for *first* 2 spans | 362 | 362 | 362 | 362 | 362 | 362 | 530 | 530 | 530 | 530 | 530 | 642 |
| | per additional span | 101 | 101 | 101 | 101 | 101 | 101 | 153 | 153 | 153 | 153 | 153 | 189 |
| **Anti-Hot-Spot Tape** | for *first* 2 spans | 60 | 69 | 75 | 84 | 90 | 96 | 105 | 111 | 120 | 126 | 135 | 162 |
| | per additional span | 24 | 27 | 30 | 33 | 36 | 39 | 42 | 45 | 48 | 51 | 54 | 60 |
| **Cross Bracing** | for *first* 2 spans | 224 | 280 | 336 | 392 | 448 | 504 | 560 | 616 | 672 | 728 | 784 | 1008 |
| | per additional span | 112 | 140 | 168 | 196 | 224 | 252 | 280 | 308 | 336 | 364 | 392 | 504 |
| **Irrigation Kit** | for *first* 2 spans | 344 | 364 | 388 | 408 | 420 | 444 | 456 | 476 | 648 | 684 | 696 | 772 |
| | per additional span | 172 | 182 | 194 | 204 | 210 | 222 | 228 | 238 | 324 | 342 | 348 | 386 |
| **Timber Side Rails with Wind Up Vents** | | 383 | 424 | 457 | 495 | 534 | 575 | 606 | 645 | 682 | 724 | 760 | 1039 |
| **Timber Ground Rails** | | 79 | 94 | 104 | 121 | 129 | 148 | 159 | 171 | 183 | 201 | 212 | 272 |
| **Louvres** | for prices see page 24 | | | | | | | | | | | | |
| **Doors** | for prices see page 25 | | | | | | | | | | | | |

*Other lengths available on request*

FAX: **01243 554433** TEL: **01243 554455**

**VAT to be added**

*Calculation Table*

| | | |
|---|---|---|
| first 2 | @ | |
| plus | @ | |
| first 2 | @ | |
| plus | @ | |
| first 2 | @ | |
| plus | @ | |
| first 2 | @ | |
| plus | @ | |
| first 2 | @ | |
| plus | @ | |
| | | |
| Louvres | | |
| Doors | | |
| **Total** | | £ |

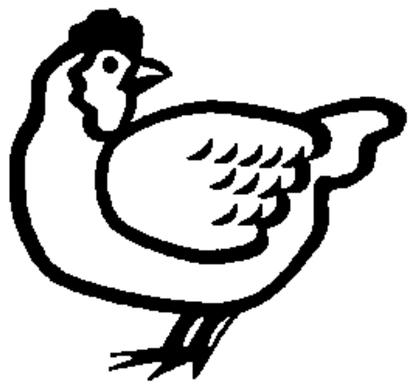
PLAN DISPLAYED AT COMMITTEE

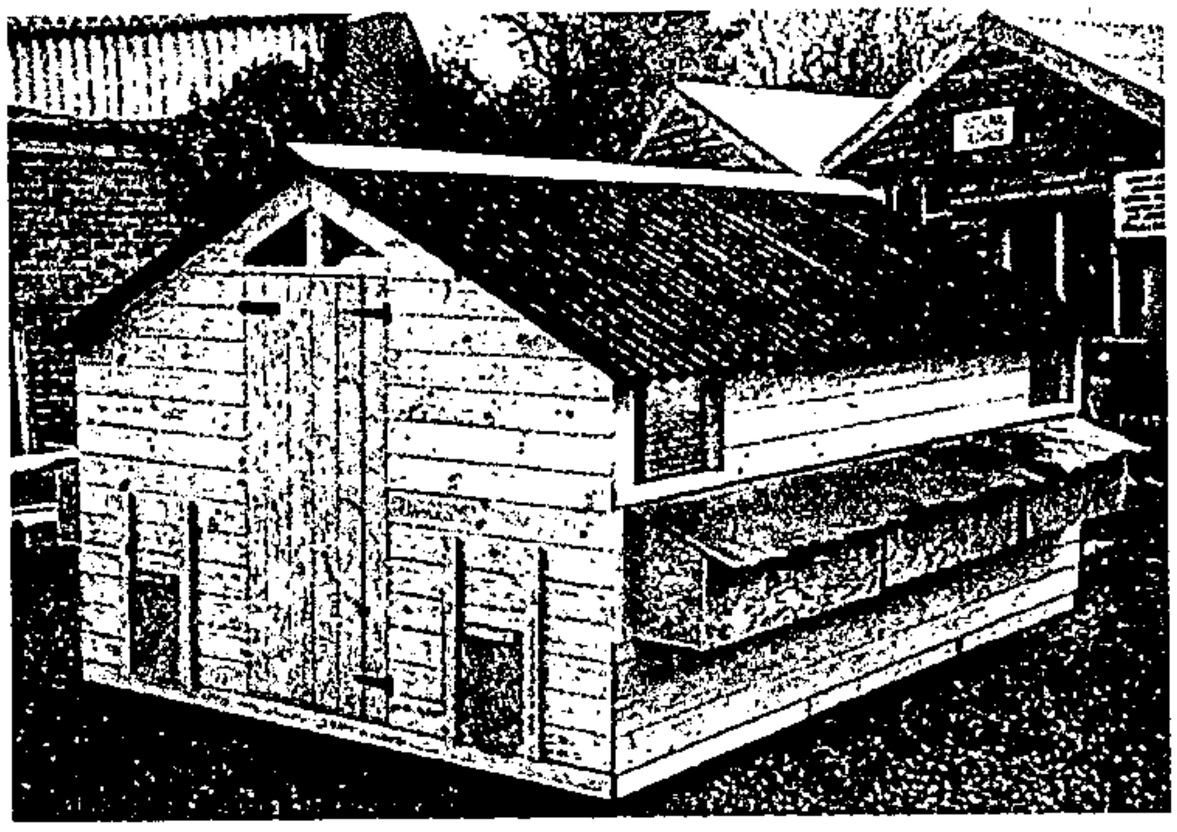
Date 01.08.02

~~Regan~~

Carmella Farrington
Partnership for learning
Soulton Hall
Halewood
L24 9PZ

# Free Range Commercial Poultry Houses



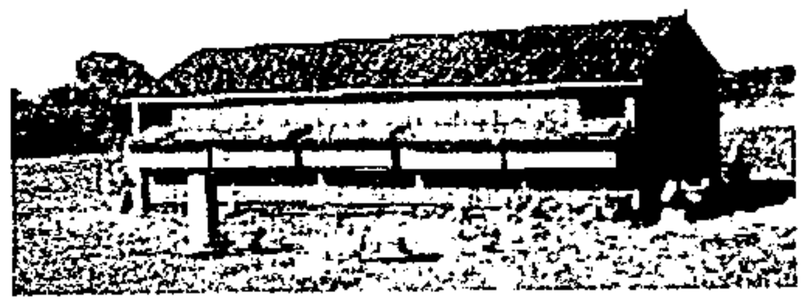


## The Ledbury House

A versatile and popular house which can be used either in a static location or as a towable unit. Skids can be supplied as an extra. The picture above shows a 12ft x 8ft Ledbury House with T&G Cladding. This house is strong and durable, with standard easy access exterior nestboxes along both sides.

**Features include:**

- Onduline roofing - T&G doors
- Perches
- 4ft to eaves, 6ft to ridge for easy cleaning
- All nests easy access. 11/18mm Sterlingboard as standard,
- Exterior ply nests and rollaway nests p-o-a
- Can be clad in 11mm Sterling Board, if required, at reduced cost



**Available in many sizes**

01/00632/FUL

17 SEP 2001

PLAN DISPLAYED
AT COMMITTEE

Date 01.08.02

# MICHAEL CUNNINGHAM F.R.I.C.S.

- *CHARTERED SURVEYOR*
- *TOWN & COUNTRY PLANNING CONSULTANT*


Mr Osborne
Department of Planning and Development
Knowsley Council
P O Box 26
Yorkon Buildings
Archway Road
Huyton
Knowsley
Merseyside
L36 9FB


Knowsley M.B.C.
Planning & Development Dept

14 NOV 2001 4852

| | |
|---|---|
| Passed to | LO. |
| Ack | |
| Reply | |


**Date:** 13 November 2001
**Our Ref:** MGC/JES/1544

Dear Mr Osborne

**Re: Planning Application - Sandy Lane Farm, Cut Lane, Kirkby.**

Further to your correspondence dated 2 October 2001 and our subsequent telephone conversation in connection with the above, I confirm that I have now had the opportunity of considering the Appeal decisions you have used to arrive at an assumption that the proposed chicken huts would constitute development and as such would incur liability for an application fee.

I enclose for your attention copies of planning Appeal Inspector's reports which deal with these issues.

Cunninghame District Council - 12.12.91 - You referred to this Appeal decision as one upon which you based your decision concerning my client's proposal. I would refer you to paragraph 9 in the enclosed Appeal decision on Page 3 which describes chicken hut in terms of a building which has been erected on site by someone who supplies and erects such structures as a business, in other words a builder. This is a somewhat different situation to the one being proposed by my client which is the provision of moveable free-standing temporary structures on wheels.

Arun District Council - 19.6.97 - Paragraphs 12 and 13 are relevant in this case in that the Inspector refers to the guidance contained in PPG7 which suggests that moveable poultry shelters may not be regarded as development for planning purposes. In this particular case the description of the way in which the chicken sheds is used is very similar to that proposed by Mr Gielty. The Inspector points out that the structures are moved around the site to even out wear and erosion of the ground and avoid foul sick land, and that the sheds had clearly been located in different parts of the land. Based upon these considerations the Inspector concluded that the physical character of the land was not altered and the sheds should be regarded as temporary structures used for agriculture, and not "buildings" in


**30 STANLEY STREET - ORMSKIRK - LANCS - L39 2DH.**
*Tel:* **01695 580490** *Fax:* **01695 580490** *E-mail* - **mgcunningham@lineone.net**

planning terms amounting to operational development. I would point out here that my client's intention in respect of the chicken sheds with the skids is to locate them on an area of land for a period of approximately 8 months before relocating them, in order to allow the land to recover. The sheds would therefore be moved around the site in the same way as described in this case.

South Norfolk District Council - 6.7.90 - In this case the Inspector describes under Paragraph 6 ten free standing pig shelters and 6 other metal pig shelters. Paragraph 11 describes the way in which these shelters could be moved by one or two men in the same way as the chicken sheds proposed by my client could be moved. Under Paragraph 29 the Inspectorate concludes that the placing of moveable structures in the field did not amount to a building operation and constituted a use of land which was for agricultural purposes and did not involve development. I know that you based your decision as to whether the chicken sheds with skids constitute development partly upon this case also.

Tunbridge Wells Borough Council - 27.6.97 - In this case under Paragraphs 10 and 11 the Inspector describes two poultry shelters which have been constructed and under Paragraphs 24 to 30 the Inspector outlines his conclusion that these buildings, even though they may appear as permanent buildings from the point of view of the objective observer, do not constitute development because they do not have a sufficient degree of permanence. It was proposed that they would be moved every 18 months to 2 years. As referred to earlier, I would point out that my client's intention is to relocate the chicken sheds on a regular 8 monthly basis in order to let parasites which would normally exist and be sprayed by chemical die before the rotation of the chicken sheds.

I hope that you will agree that the content of the decisions which are enclosed herewith indicates that the provision of moveable temporary chicken sheds on wheels as described in the application does not constitute development and as such the additional fee which you have requested is not necessary.

In respect of the details of the caravan, I enclose these herewith for consideration and confirm that I am not enclosing details of the chicken sheds on the basis that they do not constitute development.

I would be grateful if you could confirm that the application can now be registered and proceed as quickly as possible.

Yours sincerely

M.G. CUNNINGHAM F.R.I.C.S.
Chartered Surveyor

Planning Inspectorate
Department of the Environment
Room 1121 Tollgate House Houlton Street Bristol BS2 9DJ
Telex 449321
Direct Line 0272-218927
Switchboard 0272-218811
GTN 2074

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DCP 22.7
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BUTLER-STREET

Emmett & Tacon
Solicitors
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Cadogan Road
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Norfolk
NR27 9HT

Council Reference:
CDE. 72/89
Your Reference:
RGH.KHC.2768
Our Reference:
T/APP/C/89/L2630/12-14/P6

Date 6 JUL 90

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 88 AND SCHEDULE 9
LOCAL GOVERNMENT AND PLANNING (AMENDMENT) ACT 1981
APPEALS BY MR P J MANN
LAND AND BUILDINGS AT PARKLANDS, COSTESSEY, NORWICH, NORFOLK

1. I have been appointed by the Secretary of State for the Environment to determine the appeals by Mr P J Mann against three enforcement notice dated 7 July 1989 issued by the South Norfolk District Council concerning the above mentioned land and buildings. I held an inquiry into the appeals at Long Stratton on 22 and 31 May and inspected the site on 31 May 1990.

2. Notice A

a. The breach of planning control alleged by the notice consists in the carrying out of building, engineering, mining or other operations by the erecting of a structure on land at Parklands, Costessey, shown edged red on the plan attached to the notice in the approximate position as shown in green on the plan without the grant of planning permission required for that development.

b. The requirements of the notice are: Remove the structure from the land.

c. The time allowed for compliance with the notice is twenty eight days.

d. The appeal was made on the grounds set out in Section 88(2)(a), (b), (c), (d), (f), (g) and (h) of the 1971 Act, as amended, but at the inquiry grounds (c), (d), and (f) were withdrawn.

3. Notice B

a. The breach of planning control alleged by the notice consists in the carrying out of building, engineering, mining or other operations by the erecting of a structure on land at Parklands, Costessey, shown edged red on the plan attached to the notice without the grant of planning permission required for that development.

b. The requirements of the notice are: Remove the structure and materials from the land.

c. The time allowed for compliance with the notice is fourteen days.

d. The appeal was made on the grounds set out in Section 88(2)(a), (b), (c), (d), (f), (g) and (h) of the 1971 Act, as amended, but at the inquiry grounds (c), (d) and (f) were withdrawn.

4. Notice C

a. The breach of planning control alleged by the notice consists in the carrying out of building, engineering, mining or other operations by the erecting of a variety of structures on land at Parklands, Costessey, shown edged red on the plan attached to the notice without the grant of planning permission required for that development.

b. The requirements of the notice are: Remove all structures from the land.

c. The time allowed for compliance with the notice is twenty eight days.

d. The appeal was made on the grounds set out in Section 88(2)(a), (b), (c), (d), (f), (g) and (h) of the 1971 Act, as amended, but at the inquiry grounds (c), (d) and (f) were withdrawn.

5. The enforcement notices are directed at 2 fields covering in all some 1.3 hectares (3¼ acres) lying between a golf course on the south and a residential street, Parklands, which has houses on the north side facing across the fields and the golf course. The land slopes up gently towards the golf course before falling away to the valley of the river Tud. The fields are separated by a road leading to the golf course club house.

6. Enforcement notices A and C are directed at the eastern field. When inspected there were about 20 pigs in the field and it was almost devoid of vegetation. On the land were 10 freestanding pig shelters in the shape of nissen huts, each constructed of 4 semi-circular sheets of corrugated iron mounted on wooden frames, some closed with wood at one end. The shelters measure some 2.4 metres (8 ft) long by 1.8 metres (6 ft) wide. Within the field were materials for constructing a further 2 such shelters. There were also 6 freestanding metal pig shelters and 2 more on the edge of the field. These are of pyramid shape like a wigwam and measure some 2.4 metres (8 ft) by 1.5 metres (5 ft) by 1.2 metres (4 ft) high.

A upheld
C dismiss

7. Enforcement notice B is directed at the western field. When inspected the land was overgrown and unused. On the land was a rectangular corrugated iron shed on a wooden frame measuring some 3.0 metres (10 ft) by 2.4 metres (8 ft) by 1.2 metres (4 ft) high. Within the field was one semi circular pig shelter lying on its side and the parts of another such shelter.

enf. / upheld

8. The houses on the north side of Parklands are some 30 to 50 metres from the pig shelters. There is a house at the western end of the western field facing across the land and another house at the western end of the eastern field with access off the road to the club house. The shelters on the eastern field are visible from public playing fields in Longwater Lane to the east.

ASE FOR YOUR CLIENT

9. These 2 fields, the golf course and the land on which the houses in Parklands now stand was farmland until the houses were built some 15 years ago and the golf course was formed in 1980. The previous owner kept pigs on the fields until he died 8 years ago. Your client has owned the land for 18 months and kept pigs there for the last 17 months. This is a profitable agricultural enterprise.

10. A big shed that formerly stood in the eastern field measured 7.9 metres (26 ft) by 3.0 metres (10 ft) by 1.5 metres (5 ft) high. It was constructed on site from corrugated iron and wood and was not moveable. It was taken down 4 weeks ago and is no longer required. Sows are now taken elsewhere 6 to 7 weeks before farrowing and are kept there until the piglets are weaned. The pigs on this land must have shelter in the form of pig arcs or wigwams to protect them from the weather and sun. If these had to be removed the pigs could not remain.

11. The pig arcs are moved by one man and the wigwams by 2 men. They are moved regularly and easily. They cannot fall within the definition of a 'structure' within the meaning of the 1971 Act. A structure must be of a substantial size. Size is important. It is a matter of common sense. It is possible that the boar house, which has been removed, may have been a structure on account of its size.

12. Nothing has been done on this land contrary to good animal husbandry. The Environmental Health Officer has raised no objection since pigs were first brought on to the land. This is a proper productive use of the land and is one local residents must accept if they live next to farmland. The direction made under Article 4 of the Town and Country Planning General Development Order was issued after the pigs had been brought on to the land and so does not cover the pig shelters, although it would cover repairs to fencing, which could have serious consequences for residents.

CASE FOR THE LOCAL PLANNING AUTHORITY

13. This land is part of an attractive area of acknowledged landscape importance along the valley of the river Tud. It immediately adjoins the built-up area of Old Contessey where there is great pressure for encroachment into undeveloped countryside. This countryside must be retained to maintain the attractive setting it gives to the adjacent development. This attitude is reflected in the policies in the Norfolk Structure Plan and Local Plans, all of which stress the need to protect the appeal sites from undesirable development.

14. The Structure Plan shows the appeal sites within an area designated as an Area of Important Landscape Quality where particular policies apply to protect the character and appearance of the area. Recently submitted proposed alterations to the Structure Plan continue the theme of the previous policies but considerably strengthen the emphasis on protecting sensitive areas of countryside from inappropriate development.

15. The statutory Norwich Fringe Area Town Map 1969 identifies areas for various forms of development but excludes the appeal sites from any such allocations. The Supplementary Planning Guidance for Contessey, adopted in July 1987 following public consultation, accords with Structure Plan policies. It pays regard to the high landscape value of the valleys of the rivers Wensum

and Tud and excludes both appeal sites from intrusive development. The Norwich Area Local Plan (Consultation Draft) 1990 includes the appeal sites within an Area of High Landscape Quality.

16. Owing to design and construction the structures on this land are unsightly and they seriously damage the appearance of the land and the remainder of the adjoining Area of Important Landscape Quality. The pigs have stripped the land of vegetation thereby making the structures even more noticeable in the area. The development pays no respect to the high quality, landscaped residential development on one side and the open parkland of the golf course on the other. The development effectively extends the area of developed land into open countryside and erodes the 'hard edge' of the built-up area.

17. The interpretation of the Structure and Local Plan policies has been supported by a consistent history of planning refusals for residential development on this land since 1980. The extreme sensitivity of this land to development has recently been endorsed by the Secretary of State when he confirmed Directions under Article 4 of the Town and Country Planning General Development Order 1988 in respect of both these fields. It was accepted in the letter of confirmation that the importance of this land in an Area of Important Landscape Quality justified control over permitted development rights contained in Class A of Parts 2 and 6 of Schedule 2 to the Order. The Directions came into force after the development the subject of these appeals had been carried out.

18. The dwellings in Parklands formerly enjoyed a most attractive setting, many being designed to take best advantage of the surrounding landscape. This setting has been seriously damaged by the unauthorised structures and the consequent activities on the land. Residents have also been affected by smell from slurry accumulating on the land where there is no proper provision for storage and disposal of effluent. They have also suffered from flies and the tipping of foodstuffs on the land. These problems would not arise if accommodation had not been provided for the pigs and so the development is incompatible with the adjacent residential area.

19. The Town and Country Planning General Development Order 1988 gives control over buildings or other operations for the purposes of accommodating livestock when such development is within 400 metres of non-agricultural dwellings. These changes to the Development Order acknowledge the problems arising from livestock being housed close to residential property.

20. Having regard to the planning policies and the need to protect the interests of residents the strictest possible interpretation of the legislation should be applied. The pig shelters appear as structures and should be treated as such and not as uses of the land. Any other interpretation would make a mockery of the planning control system in this instance, especially on these sites whose sensitivity has been acknowledged by the Article 4 Directions, confirmed by the Secretary of State as being worthy of greater than normal control.

21. The following cases are relevant in deciding whether something is a structure: Hobday v Nicol ((1944) AER 302), B P Refinery (Kent) Ltd v Walker (Valuation Officer) ((1957) AER 700), Cardiff Rating Authority and another v Guest Keen Baldwins Iron & Steel Co Ltd ((1949) AER 27), British Transport Dock's Board v Williams ((1970) AER 1135). Whether something is a structure is a question of fact in a particular case and also a question of law taking account of the purpose of and the mischief intended to be prevented by the statute. A thing is not necessarily removed from the category of 'building' or 'structure' because it was brought on to the site in one piece. The question of whether a thing is or is not physically detached to a site is a

relevant consideration but the fact that it is not so attached is not in any way conclusive against it being a building or structure. In determining whether something is a structure it is necessary to look at the case in question and not at the effect of other decided cases.

22. The largest building, the boar house, was put together on the site using corrugated iron and wood. This fell within the natural meaning of the word 'structure'. The semi-circular shelters of corrugated iron hoops and wood were fitted together on site. The fact that they are not entirely attached to the ground is irrelevant. The wigwams are similar in character and purpose to the other pig houses. That they were brought on to the site in one piece does not necessarily prevent them from being a 'structure'. In the light of the 1971 Act and the General Development Order, it would be absurd if these could not be structures because they were brought on to the land in one piece. In this case the environmental impact of these objects should be taken into account. Their impact cannot be regarded as de minimis.

23. It cannot be said that it was not known to which structures the enforcement notices referred. This was virgin land. The appellant was familiar with the land. He knew from the notices what was being complained of and what he had done on the land. There was nothing else but pig houses on the land. There could have been no doubt as to what structures the notices referred.

CASES FOR INTERESTED PERSONS

24. Mrs Webster spoke on behalf of all residents of Parklands present at the inquiry. What has happened on this land affects them all. The pleasant environment has steadily deteriorated and their every day lives are affected. Owing to the nauseating smell it is now impossible to open windows and this is a particular hardship when it is sunny and hot. Once rancid fat was thrown on to the land and another time turkish delight in boxes and bags of food. It has been a real mess. Rats abound, even in daylight, coming out of the pig houses. She has called out the Environmental Health Officer on account of this. Her 9 year old child cannot go out to play in front of the house since this is not safe. Once a dead pig was left there for a few hours which was most unpleasant on a hot day. They are troubled with flies. Piglets used to make noise in the middle of the night. They would escape on to the road and get into gardens and dig up plants. Feeding time used to be between 0530 and 0600 hours. This was formerly a very pleasant, picturesque environment and they worked hard to achieve this standard of living. If friends are invited they now find a rubbish tip. It has been tidied up over the last few weeks but they still get rats, smell and noise. All they require is for the pleasant environment to be restored.

25. Mr Hampton stated that he is concerned with the environmental issues and amenity. In Norfolk they place great store on pleasant areas like the valleys. The river valleys are most important, as was stressed by the Inspector after a previous appeal concerning this land and by the Secretary of State when confirming the Article 4 Direction. The requirement of the 1988 General Development Order that animal units should be at least 400 metres from houses was introduced for the protection of residents. The structures on this land are most unsightly. Last year about 20 mature poplars were felled on this land on a Sunday before a tree preservation order could be issued.

CONCLUSIONS

Notices A, B and C

26. At the time the notices were served there was a corrugated iron buildi on a wooden frame measuring some 7.9 metres by 3 metres by 1.5 metres high the eastern field and another similar but much smaller structure in the western field. In the eastern field there were a number of moveable semi-circular pig shelters and others in the shape of wigwams.

27. Notice A is directed at the erection of a structure in the eastern field, Notice B at the erection of a structure in the western field and Notice C at the erection of a variety of structures in the eastern field. On the plan attached to Notice A the position of the structure is marked in green. I do not consider that a recipient of Notices B and C would have been in any reasonable doubt as to which structure in the western field Notice B referred, or to which structures in the eastern field Notice C referred on account of the fact that the positions of the structures were not shown on the plans attached to these notices.

28. Pigs have been kept on this land for the purposes of a trade or business. This has been an agricultural use which under the definition given in Section 22(2) of the 1971 Act does not involve development.

29. In paragraph 64 of Circular 22/88 it is stated: "The Courts have held that some temporary structures used for agriculture are not 'buildings' in planning terms, but in fact constitute a use of land. Thus, temporary accommodation for livestock, such as 'pig arks'.... may not be 'buildings' for planning purposes". It seems to me that the placing of the moveable structures in the eastern field did not amount to a building operation but constituted a use of the land which was for agricultural purposes that did not involve development. The appeal against Notice C on ground (b) succeeds. I am quashing the notice and the other grounds of appeal against that notice do not fall to be considered.

30. The corrugated iron structures the subject of Notices A and B had a degree of permanence and were not readily moveable. The erection of these buildings in my opinion amounted to building operations and was development for which planning permission was required under Sections 22 and 23 of the Act. They are excluded from being development permitted under the provisions of Article 3 and Part 6 of Schedule 2 to the Town and Country General Development Order 1988 by Section A.1(j) of that Part since they are required for accommodating livestock and are within 400 metres of a number of dwellinghouses in Parklands. The appeals against Notices A and B on ground (b) fail.

31. On the planning merits it seems to me that the corrugated iron shelters the subject of Notices A and B, which stood on the land at the time the notices were served were discordant features out of place on this belt of land between the houses in Parklands and the golf course to the south. The structures intruded on the outlook for residents and also for those visiting and playing on the golf course and the nearby playing fields.

32. Because the structures detracted from the appearance of this attractive locality they were contrary to the Council's policies for the protection of this designated Area of Landscape Quality. Those policies seek to protect areas such as this from inappropriate development. The appeals against both notices under ground (a) fail.

33. The requirements of Notices A and B are the least necessary to remedy the breaches of planning control. The appeals against both notices under ground (g) fail.

34. The structure the subject of Notice A is no longer in use for the accommodation of livestock and the structure the subject of Notice B has been removed from the land. The 28 days and 14 days allowed respectively for compliance with the notices are reasonable. The appeals against these notices under ground (h) fail.

35. I have considered all the other matters raised at the inquiry but none are sufficient to outweigh those that have led me to my decisions.

FORMAL DECISION

Notice A

31. In exercise of the powers transferred to me, and for the reasons given above, I dismiss the appeal, direct that the notice be upheld and refuse to grant planning permission on the application deemed to have been made under Section 88B(3) of the 1971 Act, as amended.

Notice B

32. I dismiss the appeal, direct that the notice be upheld and refuse to grant planning permission on the application deemed to have been made under Section 88B(3) of the 1971 Act, as amended.

Notice C

33. I allow the appeal and direct that the notice be quashed.

RIGHTS OF APPEAL AGAINST DECISION

34. This letter is issued as the determination of the appeals before me. Particulars of the rights of appeal against the decisions to the High Court are enclosed for those concerned.

I am Gentlemen
Your obedient Servant

C Butler-Stoney MA
Inspector

APPEARANCES

| | |
|---|---|
| FOR THE APPELLANT | |
| Mr Graham Bull and Mr Christoper Ash | Emmett & Tacon, Solicitors, Belmont House, Cadogan Road, Cromer, Norfolk. |
| They called: | |
| Mr P J Mann | Appellant |
| FOR THE LOCAL PLANNING AUTHORITY | |
| Mr Stewart Shortman | Solicitor, South Norfolk District Council. |
| He called: | |
| Mr Albert Herrington | Enforcement Officer. |
| Mr Christoper Trett BSc, MRTPI | Area Planning Officer. |
| INTERESTED PERSONS | |
| Mrs Anita Webster | Local resident, 13 Parklands, Old Contessey. |
| Mr Richard Hampton | Local resident, 16 Parklands, Old Contessey. |

DOCUMENTS

| | | |
|---|---|---|
| Document | 1 | Attendance lists |
| " | 2 | Copy of letter notifying interested parties of the inquiry with distribution list is at Appendix 10 of Document 4. Copies of 2 letters in response from local residents handed in at the inquiry. |
| " | 3 | Copies of enforcement notices with plans attached thereto. |
| " | 4 | Documents submitted by Mr Trett attached to Council pre-inquiry statement. |
| " | 5 | Page 20475 Encylopedia of Planning Law and Practice. |
| " | 6 | Hobday v Nicol ((1944) AER 302)<br>B P Refinery (Kent) Ltd v Walker ((1957) AER 700)<br>Cardiff Rating Authority and another v Guest Keen Baldwins Iron & Steel Co Ltd ((1949) AER 27)<br>British Transport Docks' Board v Williams ((1970) AER 1135) |
| " | 7 | Suggested condition to be imposed if the appeals are allowed - submitted by the local planning authority. |

# The Planning Inspectorate

*An Executive Agency in the Department of the Environment and the Welsh Office*

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Your reference: -
Council reference: TW/95/10280; PAC/BL9541 & C/95/064/FNT
Our reference: T/APP/C/96/M2270/642619
T/APP/M2270/A/95/257008
T/APP/C/96/C1435/641586

Date: 27 JUN 1997

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTIONS 78 & 174 AND SCHEDULE 6
PLANNING AND COMPENSATION ACT 1991
APPEALS BY MR L BIGNELL
LAND AT STRAWBERRY FIELDS, HAWKENBURY ROAD, FRANT

1. The Secretary of State for the Environment has appointed me to determine three appeals by your client relating to the above-mentioned land. Two of the appeals are against enforcement notices, one issued by Tunbridge Wells Borough Council, one issued by Wealden District Council. The third appeal is against the failure of Tunbridge Wells Borough Council to decide within the statutory period an application for planning permission. I held a hearing into the appeals on 17 June 1997.

2. Before the hearing was closed you stated that you wished to apply for costs awards on behalf of the appellant against both District Councils. It was agreed between all parties that the costs applications and the representations in response would be submitted later in writing. A separate decision will be made on these applications in due course.

**Enforcement Notices and Grounds of Appeal**

3. For convenience I shall label the enforcement notices A and B. Details are summarised below.

Notice A (Tunbridge Wells):

a. The notice is dated 7 March 1996.

b. The breach of planning control alleged in the notice is: "Without planning permission a material change of use of the land from a use as a trout fishery to a mixed use as a

trout fishery and for the siting of a caravan at a position shown coloured blue on the attached plan and for the residential use of the land".

c. The requirements of the notice are:

1) To cease the residential use of the land.

2) To remove the caravan from the land.

d. The period for compliance with the notice is one month.

Notice B (Wealden):

a. The notice is dated 22 December 1995.

b. The breach of planning control alleged in the notice is: "Without planning permission, the erection of wooden buildings on steel framed bases (the "Buildings") in the approximate position shown coloured red on the attached plan".

c. The requirements of the notice are:

i) Remove the buildings from the land.

ii) Remove from the land all materials rubble rubbish and debris arising from compliance with the first requirement above.

d. The period for compliance with the notice is two months.

4. The appeal against Notice A was made on grounds (b), (c) and (g) as set out in Section 174(2) of the 1990 Act as amended. The appeal against Notice B was made on grounds (a) and (c) of Section 174(2).

**Section 78 Appeal**

5. The application now subject to this appeal was for: "Temporary permission for siting of mobile home for fish farm & agriculture". After opening the hearing I queried the extent of the application site, which was not clearly defined on the application plans and appeared to exclude the land where it was proposed to place the mobile home. A plan agreed between you and the District Council was later handed in, showing a variation of the original site boundary, and I have taken this plan as defining the application site. I am satisfied that the variation is not so significant as to prejudice any party's interests.

**The Sites and Surroundings**

6. The appeals sites lie in a predominantly rural area southeast of Tunbridge Wells. The countryside in the locality is hilly and well wooded in places, with field boundaries typically marked by fairly high hedges or lines of trees. The northern part of your client's land occupies a south facing slope, at the bottom of which is a stream which marks the boundary between the counties of Kent and East Sussex, and between Tunbridge Wells and Wealden Districts. South of the stream the land is undulating, with a generally downward slope towards the southeast.

7. There is a vehicular access to the northern part of the land where a tarmac-surfaced track leads up the slope to a levelled parking area. When I saw the site a small touring caravan (the caravan referred to in Notice A) stood at one side of the parking area. A little to the west beyond a low embankment was a further levelled area which was described to me as the proposed site for the mobile home subject to the Section 78 appeal.

8. A number of artificial lakes or ponds occupy parts of the land both north and south of the administrative boundary. These areas of water appear to be part of an enterprise which involves a mixture of "leisure fishing" and fish farming. Much of the rest of the of the site is covered by rough grass. There is a second vehicular access at the southern end of the land within Wealden District.

9. At the time of my inspection the caravan mentioned above appeared to be used mainly for storing fish handling equipment. It also contained two small bags of chicken feed and some rolls of wire netting. The parking area where the caravan stood was surfaced with what appeared to be recently laid hoggin. The southeast corner of the field immediately to the north was covered with lumps of stone which also appeared to have been recently deposited.

10. Two poultry shelters stood in the southernmost field. Both shelters were about 6m x 9m with timber walls and a ridged, low-pitch roof of corrugated plastic-coated sheeting. The shelters were fixed to a base comprising a frame made mainly of lengths of box-section steel. A water supply was provided by a hose running along the ground from one of the ponds and there was an electricity supply by means of a cable linked to a sub-station at the southern end of the site.

11. The northern of the two shelters was empty and I was able to go inside. The floor consisted of plastic mesh partly covered by chipboard. The base of this shelter rested on concrete blocks arranged on sloping ground so that the shelter was level and the gap between the ground and the base was enclosed by a "skirt" of chipboard nailed in place. The base of the southern shelter rested on the ground which at this point was fairly level. There were chickens inside this shelter. Electrified mesh fencing was positioned nearby to form a chicken range.

12. Near the two shelters, about 15m or so to the east up the slope, were two areas with no grass cover. These areas were pointed out to me as the position where the shelters had previously stood. Near the southern boundary of the site stood a small touring caravan, which did not appear to be in active use on the site. Some timber panels and various items of chicken feeding equipment were also lying on the ground in the vicinity.

**The Enforcement Notices**

13. As I pointed out during the hearing, the allegation in Notice A appears to refer to a mixture of three uses: a trout fishery; the siting of a caravan (the purpose of such siting being unspecified); and residential use. The council evidently meant to allege that the caravan was sited for residential purposes, not that there was a residential use independent of the caravan. I consider that I can make a suitable correction to the notice, using the powers available under Section 176(2) without injustice to any party and I shall therefore do so.

14. There was some discussion a the hearing about a different enforcement notice worded similarly but not identically to Notice A. The council had appended a copy of the different notice

to their statement and referred to it as the notice subject to appeal. It seems that the "notice" in question was in fact a draft which was never issued and I shall therefore ignore it.

15. Notice B is also flawed. The allegation refers to "buildings....in the approximate position coloured red on the attached plan", but no such marking appears on the plan. I shall correct the notice by deleting part of the allegation. Again, bearing in mind that this point was discussed during the hearing, the correction can be made without causing any injustice.

16. There is a further problem with Notice B. You questioned the validity of this notice on the grounds that it purported to cover land (in the north) within Tunbridge Wells District, yet there appeared to have been no formal consultation between Wealden and Tunbridge Wells District Councils before the notice was issued.

17. Under Section 172 and Schedule 1 of the 1990 Act, the power to issue an enforcement notice lies with the local planning authority. Provision is made in the legislation for District and County Councils to deal with certain matters subject to consultation, but there is no power for one District Council to take enforcement action in another District. Moreover, the evidence indicates that Tunbridge Wells District Council did not formally authorise the enforcement proceedings relating to Notice B and I suspect (although no information was available on this point during the hearing) that this notice may well not be entered in the register of enforcement notices maintained by Tunbridge Wells District Council relating to its area. The oral consultation which appears to have taken place between officers is not sufficient to make the notice legally valid.

18. Rather than treating the whole notice as a nullity, which would very probably lead to enforcement and appeal proceedings having to be undertaken all over again, I shall regard it as invalid but capable of correction. I shall correct the notice so that it only applies to land within Wealden District.

**Notice A, Ground (b)**

19. I now consider the appeal against Notice A on ground (b), under which it is claimed that what is alleged in the notice has not occurred. I cannot be certain of all the facts, partly because the procedure for questioning the evidence has to be less rigorous at a hearing than at an inquiry, and none of the parties in this case (including both District Councils) opted for an inquiry. Mr Bignell gave evidence that he slept overnight in the caravan on occasions during the months leading up to the time when the enforcement notice was issued. He said that he had done so 9 or 10 times. The council could not offer any specific evidence on this aspect, though general references were made to local residents having seen lights and activity late at night and early in the morning.

20. As Mr Bignell pointed out, late night activity may have been the result of security checks being made at the site, not necessarily linked with any residential occupation. The caravan is a small touring model, has evidently never been connected to mains supplies and has very limited internal equipment. Certainly when I saw it, there was no sign of its use as a dwelling, although of course that is not a good indication of what might have happened in the past.

21. Although the onus of proof on this matter lies with the appellant, the evidence by the council and by the local residents is very vague. Some doubt remains but I conclude on the balance of probabilities that the caravan was used for occasional "overnight camping" mainly in

connection with the fish enterprise, and possibly to a lesser degree the egg-production business, but not to an extent which could reasonably be described as residential. Alternatively, if there were limited residential use it appears to have ceased by the time the notice was issued. I therefore find that the matters alleged in the notice have not taken place and that the appeal on ground (b) succeeds.

**Notice A, Other Grounds and Deemed Application**

22. In view of my conclusion on ground (b), Notice A will be quashed and the other grounds pleaded become irrelevant. You will recall that I drew attention to the application deemed to have been made under Section 177(5) of the 1990 Act. The application appeared to be fee exempt and therefore extant, even though you did not seek planning permission. That point becomes superseded by my conclusion on ground (b) since the deemed application does not fall to be considered.

23. It may appear strange that the notice will be corrected and then quashed, but this is necessary so that not only the notice itself but also the scope of the appeal is clear.

**Notice B, Ground (c)**

24. The essence of your client's ground (c) appeal against Notice (b) is that putting up the poultry shelters did not involve building operations but was an agricultural use of the land, and therefore was not "development" within the meaning of the Planning Act. As you know, the Act specifies (in Section 55(2)(e)) that the use of land for agriculture is not development and therefore does not require planning permission.

25. I am aware that these shelters were previously sited at a farm within Rother District Council, who took no action against them. However, that point has little weight in my judgment because I am making my own assessment of the cases now being put forward on their own merits, from the evidence before me. Similarly, although I am aware of the statement in Planning Policy Guidance No 7 (Paragraph B4) that moveable poultry shelters may not be buildings for planning purposes, that statement is generalised and is not a legal authority.

26. The meaning and interpretation of the Act is ultimately a matter for the courts. I drew attention to a number of legal judgments during the hearing so that all parties had the opportunity to comment on them if they wished. As is clear from cases such as *Cheshire CC v Woodward (1962, 2 WLR 636)* and *Barvis v SSE, (1971 22 P & CR 710)*, no single test can be applied to determine whether what has occurred is an agricultural "use" or an "operation" involving development. The main factors to be taken into account are: the means by which the shelters were brought to the land and put in place or erected; the appearance of the shelters; any physical change in the character of the land; the intention behind the erection or siting of the shelters; and their degree of permanence or mobility.

27. The shelters were evidently dismantled at their previous site and the various parts (that is to say, the steel-framed base and the timber or plastic panels which make up the walls, roof and floor) were brought to Mr Bignell's land by lorry. The parts were lifted into place manually, using up to about five men to lift the steel base, and then bolted or similarly fixed together. The shelters have the appearance of permanent, shed-like structures and I am sure that if the mythical "person

on the Clapham omnibus" were diverted to a route past this land he or she would perceive these objects as permanent buildings. There are no wheels attached and the shelters do not look mobile. I also note that in stating the grounds of appeal, you used the words "structures" and "sheds" which as a matter of normal English usage mean "buildings. All those points suggest that operational development took place when the shelters were placed on the site.

28. On the other hand the shelters do not, and did not when they were first put in place, rest on prepared concrete bases. The small stack of blocks used for levelling and supporting the steel base is similar to the sort of support which would be typically provided for a caravan or mobile home. Thus the physical character of the land at the point where the shelters are sited is not permanently changed. There is evidence of intention to move the shelters as part of the free-range egg production system. Both shelters have indeed been moved more than once from their original positions and the video evidence showed how this was done by dragging one shelter along the ground behind a tractor. There are no permanently fixed mains water or power supplies.

29. There is no clear evidence as to how long it is intended to leave the shelters in one place assuming their full occupation by poultry. The longest period mentioned by Mr Bignell in response to a question by me was about 16 months between January 1996 and May 1997. The recent relocation of both shelters may have been more for demonstration purposes than for any requirement relating to egg production, but even if the intention was only to move the shelters every 18 months to 2 years or so, that is more frequently than happens with many caravans. All parties in the case also accept that the shelters are "moveable", although this is not a decisive point since there have been cases of moveable structures on wheels which have been found to constitute building operations because they were intended to remain in one place on a prepared base.

30. On balance, I find that the poultry shelters do not have the degree of permanence necessary for them to be regarded as operational development. My interpretation of the law is therefore that the placing of the shelters on the land did not require planning permission because what occurred was part of the use of the land for agriculture. Thus the matters alleged in the enforcement notice do not constitute a breach of planning control and the appeal on ground (c) succeeds. The notice will therefore be quashed. Ground (a) and the deemed application do not fall to be considered.

31. I realise that many people who hear about the above finding or read a copy of this letter may think it wrong that no account has been taken of the adverse effect of the poultry shelters on the appearance of the area or of related policy aspects, such as the location of the land within a green belt and an Area of Outstanding Natural Beauty. That is because such aspects are irrelevant to the legal issues discussed above. I should perhaps stress that I have to interpret the law as it currently stands, having regard to pertinent legal judgments. It is not for me to say whether poultry shelters of the type subject to this appeal should be made subject to planning control.

**Section 78 Appeal**

32. The proposed site of the mobile home is part of the countryside within the Metropolitan Green Belt and within the High Weald AONB. As a matter of long-established national and local planning policy, residential development in the green belt is inappropriate and by definition is harmful to green belt aims. The main issue raised by this appeal is whether there is sufficient justification for making an exception to normal policy on the grounds that there is an agricultural need for the dwelling.

33. I discount the "leisure fishing" side of Mr Bignell's business because that is not agriculture. The fish farming side (which does fall within the definition of agriculture for planning control purposes) has had a chequered history. The original trout production scheme has evidently been abandoned because of water flow and quality problems but some carp growing remains. It seems to me that the main reason why Mr Bignell wants to be able to live at the site is for security. I can understand his concern about leaving a valuable stock of fish unattended overnight. However, PPG7 states that protecting livestock from theft or injury by intruders will not by itself justify an on-site agricultural dwelling.

34. As regards the poultry business, I can see that anybody trying to establish and expand a free-range egg producing enterprise on this land would be wary of investing in large amounts of stock and equipment without being able to supervise the holding closely. Again, however, the case for an on-site 24-hour presence is mainly based on the need for security. In an appendix to your written statement, you refer to various tasks which you say make it essential for a worker to be readily available at most times (such as inspecting the livestock for health purposes, arranging veterinary treatment, feeding, watering, checking heating arrangements, collecting and sorting eggs, receiving deliveries of foodstuffs, ensuring continuity of water supply during hot weather and checking buildings for structural damage during bad weather). Virtually all of these tasks would be normal daytime activities. There is evidence about a delivery from Holland arriving during the night but from a land use planning viewpoint an occasional occurrence of that sort is a weak reason for permitting an on-site dwelling.

35. The possibility of someone being required to deal quickly with other non-security emergencies during the night appears limited and some of the examples quoted on behalf of your client are rather far-fetched. For instance, I have no reason to believe that hot-air balloons (which could panic the poultry) fly over this area at night. Nor do I accept your claim that a residential presence is required because of activities such as trapping feral mink - when questioned, Mr Bignell did not put forward any reason why mink traps had to be examined during the night.

36. I can see that Mr Bignell has problems looking after the holding while living in Penge. Attendance in the early morning and late at night may be necessary at times. Such problems would be lessened if he (or another farmer, if the ownership changed) were to live near the site, which is not far from the south-eastern fringe of Tunbridge Wells. Such an arrangement would not be nearly as convenient as living on the holding, but I have to consider what is necessary for the agricultural enterprise itself, not what is convenient for the present occupier.

37. Mr Bignell obviously feels that he has been unfairly treated by the planning authorities. However, many businesses nowadays have to find ways of combating theft or other criminal activity without having a residential presence. Purely from a security viewpoint, farming is a commercial activity like any other. There is an arguable case for the home, but in my judgment the points in favour of allowing the development do not outweigh the strong policy objections. There have been numerous instances across the country of permission being granted for agricultural dwellings, first on a temporary basis and then permanently, only for the farm enterprise to cease, leaving an additional dwelling in a rural or green belt location without its justification. Indeed, this appears to have happened at the farm in Kent where the poultry shelters were previously sited. Hence strict control is appropriate from the start to avoid undermining planning policies aimed at preventing the spread of residential development into the countryside.

38. I have had regard to all the other matters raised on which I have not specifically commented. Taking all the relevant factors into account, I find that the normal presumption against inappropriate development in the green belt should apply and that planning permission for the mobile home should not be granted. The Section 78 appeal therefore fails.

**Formal Decisions**

Section 174 Appeal - Enforcement Notice A (Reference T/APP/C/96/M2270/642619):

39. For the above reasons and in exercise of the powers transferred to me, I hereby direct that paragraph 3 of the notice be corrected by inserting after the word "caravan" the words "for residential purposes" and by deleting the words "and for the residential use of the land". Subject to that correction, I allow your client's appeal and direct that the notice as corrected be quashed. The application deemed to have been made under Section 177(5) of the 1990 Act does not fall to be considered.

Section 174 Appeal - Enforcement Notice B (Reference T/APP/C/96/C1435/641586):

40. I direct that this notice be corrected in the following ways:

a. By deleting from paragraph 3 the words "in the approximate position shown coloured red on the attached plan".

b. by adding to paragraph 2 of the notice after the bracketed words "the land" the words "except for OS field Nos 9200 and 9105 situated north of the District and County boundary which notwithstanding the site boundary shown on the attached plan shall be treated as outside the scope of this notice".

41. Subject to the above corrections, I allow the appeal against this notice and direct that the notice as corrected be quashed. The application deemed to have been made under Section 177(5) of the 1990 Act does not fall to be considered.

Section 78 Appeal (Reference T/APP/M2270/A/95/257008):

42. I hereby dismiss this appeal.

**Right of Appeal Against Decisions**

43. This letter is issued as the determination of the appeals before me. Particulars of the rights of appeal against the decisions to the High Court are enclosed for those concerned.

Yours faithfully



G FSELF MA MSc FRTPI
Inspector

10

THE SCOTTISH OFFICE

Inquiry Reporters

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RECORDED DELIVERY

Mr William McSkimming
11 St Brides Drive
West Kilbride
AYRSHIRE
KA23 9BH

Our Ref: P/PPA/SG/184
P/ENA/SG/42
Date: 12 December 1991

Dear Sir

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1972: SECTIONS 33 & 85 AND SCHEDULE 7
PLANNING AND ENFORCEMENT NOTICE APPEALS: LAND ADJOINING B7047 AND CHAPELTON LANE, WEST KILBRIDE

1. I refer to your appeals, which I have been appointed to determine, against (a) the decision of Cunninghame District Council to refuse planning permission for the erection of a free-range chicken house and the formation of vehicular access for parking on land fronting the B7047 and Chapelton Lane, West Kilbride; and (b) the enforcement notice dated 26 February 1991 served by the said Council relating to the alleged change of use of private open space to a chicken run and the construction of a chicken hut and run at the said land. I held a public local inquiry in connection with the appeals on 13 November 1991, within the Community Centre, West Kilbride, and subsequently made an accompanied inspection of the site and its surroundings.

2. The notice requires the following steps to be taken:

a. the discontinuance of the use of the said land from use as chicken run and free range chicken hut; and

b. the removal of said chicken hut and fenced off chicken run and other alterations and the land restored to its former condition.

The notice specifies a period of 28 days for compliance with these steps. The reasons given for the service of the notice by the council are:

1. that the unauthorised development is contrary to West Kilbride Environmental Policy 1 in the adopted North Coast and Cumbraes Local Plan;

2. that the unauthorised development could set an undesirable precedent for further similar developments and is in contravention of the refusal of planning permission (ref CH/01/90/0537);

3. that the unauthorised development detracts from the amenity of the area.



Recycled

3. Your appeal against the enforcement notice is made on the grounds specified in sub-section 85(1) (a) and (g) of the Act, ie

> (a) that planning permission ought to be granted for the development to which the notice relates; and
>
> (g) that the specified period for compliance with the notice falls short of what should reasonably be allowed.

Although you have not lodged an appeal on ground 85(1) (b), ie

> (b) that the matters alleged in the notice do not constitute a breach of planning control,

in the light of evidence adduced at the inquiry I intend to consider the case as if an appeal had been lodged on this ground.

THE SITE AND ITS SURROUNDINGS

4. The appeal site is an irregularly shaped area bounded to the east and south-east by the B7047 road and an unmade track known as Chapelton Lane. From these frontages the land falls steeply towards the Kilbride Burn which has formed a steep-sided glen on the south-east side of West Kilbride. A small part of the site lies on the far side of the burn. Most of the glen is wooded, particularly on the western bank. The south-western part of the appeal site is also wooded, giving way to scrub and rough grassland at the northern end.

5. In the north-east corner of the site, adjoining the B7047 road, a small compound has been formed with wire mesh fencing. Within the compound is a chicken hut, approximately 3.7m X 2.3m on plan and 3m high, constructed of timber and plywood and covered in roofing felt. Immediately to the north of this part of the site there is a former slaughterhouse, the buildings of which are partly disused and partly used for storage.

PLANNING BACKGROUND

6. The North Coast and Cumbraes Local Plan was adopted by CDC in August 1987. The site lies within the West Kilbride settlement boundary, and within an area referred to as Kirktonhall Glen, to which Environmental Policy EP 1 applies. This states that development for any use other than recreation/open space/woodland shall not accord with the plan. The site also lies within a Listed Wildlife Site designated by the Scottish Wildlife Trust in 1979; this is a non-statutory designation.

7. Permission was previously refused for development on the appeal site in 1972 (1 house), 1977 (6 houses), 1979 (4 houses), 1981 (4 houses), and 1982 (1 house, subsequently dismissed on appeal). Permission was refused in November 1990 for a dwellinghouse on the slaughterhouse land to the north. That decision is the subject of another appeal.

THE ENFORCEMENT NOTICE APPEAL ON GROUND (b)

8. The council accepted at the inquiry that the use of the land for agricultural purposes would not constitute development by virtue of s.19

(2) (e) of the 1972 Act, and acknowledged that the erection of a fence up to 2m in height (or 1m abutting a highway) would be permitted development within Class II of the Town & Country Planning (General Development) (Scotland) Order 1981-1990. The erection of the chicken hut would not be permitted development within Class V of the GDO as the land is not part of an agricultural unit and is less than 0.4ha in extent, and the hut is within 25m of a classified road. It was suggested that the Enforcement Notice should be amended accordingly.

Conclusion

9. I find that the use of the land for keeping chickens is use for the purposes of agriculture, and is therefore not development by virtue of s.19 (2) (e) of the 1972 Act. I also find that the chicken run as constructed would be permitted development within Class II of the GDO. I conclude that the notice should be amended to delete reference to the change of use and construction of the chicken run. Regarding the erection of the chicken hut, I consider that this constitutes development in terms of s.19 (1) of the 1972 Act as the carrying out of a building operation. Building operations are defined in s.275 of the Act as "operations normally undertaken by a person carrying on business as a builder". I appreciate that in this instance a builder was probably not involved in the erection of the chicken hut. Nevertheless I would normally expect the erection of a substantial chicken hut for commercial use to involve the services of someone who supplies and erects such structures as a business, so that such an operation would constitute development in terms of the Act.

10. Class V of the GDO schedules agricultural uses and operations which are permitted without planning permission. None of these apply in this case, as they are restricted to development on agricultural land within an agricultural unit. The appeal site does not fall within this category. I conclude that planning permission is required for the erection of the chicken hut.

THE PLANNING APPEAL AND THE ENFORCEMENT NOTICE APPEAL ON GROUND (a)

11. In addition to the erection of the chicken hut planning permission is also required for the formation of the access, which is defined as an engineering operation in s.275 of the 1972 Act. As the access has not been formed it does not feature in the enforcement notice. The planning application shows a new vehicular access roughly in the middle of the frontage to the B7047. It is described on the form as pedestrian path and vehicular access c.8 feet wide.

The Case for Cunninghame District Council

12. The council refused planning permission for the following reasons:

1. That the proposed development would be contrary to West Kilbride Environmental Policy 1 in the adopted North Coast and Cumbraes Local Plan.

2. That the proposed development could set an undesirable precedent for further similar developments which would be detrimental to the amenity of the area.

13. Expanding on these reasons, the council points out that it has been consistent in refusing permission within the area covered by Policy EP 1, for development which does not accord with its terms. Reference is made to the recent refusal of permission for residential development on the site immediately adjoining the appeal site, and to the previous refusals of permission for residential development within the appeal site one of which was upheld on appeal. The other developments which you have referred to in support of your case are not considered by the council to be relevant, as they are outwith the policy area concerned.

14. The proposed development is considered to be damaging to the character of the area because of its visual impact, and because of the serious risk of precedent for similar development on adjoining land. In this respect the council notes your clearly stated intention to establish an agricultural enterprise which would justify the subsequent erection of a dwellinghouse. It is pointed out that the Regional Council Department of Roads would wish the access to be 45-50m from Chapelton Lane, and 5.5m wide with 2.5m X 90m visibility splays. The first 2m would require to be surfaced in bituminous material. It is submitted that this would be a prominent and intrusive feature within a generally undeveloped area.

15. The council's refusal was supported at the inquiry by the West Kilbride Community Council, and by the West Kilbride Amenity Society in written submissions. There is concern that permission is being sought on an incremental basis, with an expanded chicken-rearing operation leading to an application for a house on agricultural grounds. Though there is no public access to the appeal site it provides a visual amenity within the recreational area.

The Case for the Appellant

16. You submit that the council's policy is misleading in its reference to Kirktonhall Glen. The appeal site is not part of the glen, and never has been. The Kilbride Burn runs through the publicly-owned Kirktonhall Glen, but beyond that it flows through Glenbride on its way to Seamill. There is no public access to the appeal site, and it serves no recreational function. It is overgrown with whin, cut through with gullies, and crossed by a power-line, which leads to tree-lopping by the electricity board where it runs through the wooded part of the site. Rubbish is tipped on to the land from the adjoining lanes.

17. You have been unemployed through ill-health, and in June 1990 saw the possibility of building up a business on the appeal site producing free-range eggs for sale. You planned to start in a small way, and introduced 25 hens with a hut and a small run. The chicken hut was erected in a corner of the site. It would not be visible from public paths in summer because of foliage. Unfortunately the hens did not survive because of the activities of foxes and thieves.

18. You point out that there has been a considerable amount of development within and around West Kilbride in recent years. The site lies within the settlement boundary, and yet you are expected to retain it as undeveloped land for public benefit, while development companies are allowed to build outside the boundary.

19. Regarding the access, you explain that your requirement was for a run-in with a hardcore standing where you could park a car off the road while attending to the chickens. You would be looking for little more than an agricultural field access. In your view the SRC requirements are excessive, and represent an attempt to discredit a modest proposal.

Conclusions

20. I find from my inspection that the appeal site is an attractive area, especially at the wooded lower end where the sides of the glen are steeper. It seems to me that the council is acting properly in adopting policies in the local plan to safeguard such an area from inappropriate development, regardless of whether the name applied to the policy area is historically accurate.

21. I understand the concern of the District and Community Councils that the proposed development may be the "thin end of the wedge". You have made your own intentions perfectly clear in this respect - you would ultimately hope to have a viable agricultural enterprise which would justify the erection of a dwelling. However, it would be improper for me to refuse planning permission in order to circumvent other procedures which you are entitled to pursue. The principal issue in the matter before me is whether the erection of a chicken hut and the formation of a vehicular and pedestrian access would be seriously damaging to the character of the surrounding area.

21. Looking first at the chicken hut, whilst this is not a particularly attractive object, it is a small structure tucked into the corner of an area of rough grassland with hedges on 2 sides. I did not find it to be a conspicuous feature in the landscape, and it would be less prominent in the summer when foliage is denser. I do not consider that its effect on the character of the area is so material as to justify the withholding of planning permission. The circumstances are such that I would not feel that the council's hands would be tied in considering other applications for similar development within the appeal site. Your appeal on ground (a) therefore succeeds.

22. Turning to the matter of the access, I note that your requirements in this respect are modest. Nevertheless it is necessary to consider the effect of the access on other road users, and to ensure that it would not give rise to an unacceptable hazard. The SRC requirements address these matters. There needs to be adequate visibility for a driver emerging from the new access, use of the access should not result in mud being deposited on the highway, and it should not be necessary for the user of the access to have to reverse either into or out of the entrance to the site. The B7047 is a narrow road with high hedges, and traffic appears to travel quite quickly along it. In these circumstances I consider that it is important for a new access to satisfy the highway authority's requirements.

23. There is no doubt in my mind that such an access would be a conspicuous feature in the local scene. It is not required for any of the purposes identified in Policy EP1, and in my view it would be seriously damaging to the appearance of the area. I therefore find it to be unacceptable, and conclude that planning permission should not be granted.

24. I should make it clear that my consideration is limited to an access of appropriate standards in or around the position shown on the application plan. Whether or not there is another position which would satisfy the highway authority's requirements is a matter for discussion between you and the Regional Council in the first instance; no evidence was led on this matter at the inquiry.

FORMAL DECISION

25. I have taken account of all the other matters raised at the inquiry, but they do not override the considerations which have led to my decision. Accordingly, in exercise of the powers delegated to me, I hereby:

a. sustain in part the deemed appeal against the enforcement notice on ground 85(1) (b);

b. sustain the enforcement notice on ground 85(1) (a) insofar as planning permission is required for the erection of the chicken hut;

c. direct that the enforcement notice dated 26 February 1991 be quashed;

d. sustain the planning appeal in part and grant planning permission for the retention of the chicken hut as erected; and

e. dismiss that part of the planning appeal which relates to the formation of an access and refuse to grant planning permission for a vehicular and pedestrian access from the B7047 to the north of Chapelton Lane, West Kilbride.

26. The foregoing decision is final, subject to the right of any aggrieved person to apply to the Court of Session within 6 weeks from the date hereof, as conferred by sections 231 and 233 of the Town and Country Planning (Scotland) Act 1972; on any such application the Court may quash the decision if satisfied that it is not within the powers of the Act or that the applicant's interests have been substantially prejudiced by a failure to comply with any requirement of the Act or of the Tribunals and Inquiries Act 1971 or of any order, regulation or rule made under these Acts.

27. A copy of this letter is being sent to Cunninghame District Council and interested persons will be notified of the outcome of the appeal.

Yours faithfully

J D GRAINGER
Principal Reporter

# The Planning Inspectorate

*An Executive Agency in the Department of the Environment and the Welsh Office*

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Your Reference:
GL/FC
Council Reference:
CON/FG/16/94a
Our Reference: APP/
C/96/C3810/642333-4
Date: 19 JUN 1997

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 174 AND SCHEDULE 6
PLANNING AND COMPENSATION ACT 1991
LAND AND BUILDINGS AT NORTH BARN, LITTLEHAMPTON ROAD, FERRING, WEST SUSSEX.

1. I have been appointed by the Secretary of State for the Environment to determine your client's appeals against 2 enforcement notices issued by the Arun District Council concerning the above mentioned land and buildings. I conducted a hearing into the appeals on 29 April 1997.

**THE NOTICES**

**NOTICE A**

2. (1) The notice was issued on 9 February 1996.

(2) The breach of planning control as alleged in the notice is without planning permission, the siting of chicken sheds on the land.

(3) The requirement of the notice is to permanently remove the chicken sheds from the land.

(4) The period for compliance with this requirement is 2 months.

**NOTICE B**

3. (1) The notice was issued on 9 February 1996.

(2) The breach of planning control as alleged in the notice is without planning permission, change of use of the land from agricultural to a mixed use for agriculture and the siting of a residential caravan/ mobile home.


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RECYCLED PAPER

(3) The requirements of the notice are:

(i) Cease the use of the land for the siting of a mobile home/ caravan;

(ii) Remove the mobile home/caravan from the land.

(4) The period for compliance with these requirements is 2 months.

## GROUNDS OF APPEAL

4. Your client's appeals are proceeding on the grounds (a) & (c) set out in section 174(2) of the 1990 Act as amended by the Planning and Compensation Act 1991.

## THE SITE

5. The appeal site occupies about 2.4Ha of land on the north side of Littlehampton Road, A259, east of its junction with Hambleton Lane. The site rises gently to the north but beyond the land rises steeply to the slopes of Highdown Hill. A public footpath runs adjacent to the east boundary of North Barn. It was agreed that your client moved on to the appeal site at the end of 1994. At that time, the land contained 2 nissen huts, a shed and a caravan used for office and messroom facilities incidental to the use of the land for growing strawberries.

6. Your client and his wife currently operate an egg production and sales business. Although strawberries are still grown and sold from the site you told me that fruit growing element had taken a 'back seat' to the egg operation. There are about 1,000 free range hens and about 150 in a perchery where hens are kept intensively in controlled environmental conditions. The perchery has been established in one of the former nissen huts. The other nissen hut is used for egg grading, packing and egg sales. A small timber kiosk is used during the season for strawberry sales. The free range hens have access to 9 chicken sheds. Seven of the sheds are about 3.7m x 2.4m x 1.5m high. The 2 other sheds are slightly larger. They are all constructed of stained timber cladding with a monopitch roof on a wooden frame. The sheds have timber skids beneath enabling them to be moved around the site by towing with a tractor or other vehicle.

7. The mobile home is a twin unit on wheels with a side fixed entrance porch. It provides 3 bedrooms, living, kitchen and bathroom accommodation. It has mains electricity. water and a septic tank. It was moved onto the site at the end of 1994.

8. The site also contains a corrugated metal storage shed and 2 caravans. One caravan was on the site before your client moved onto the land and the other he brought onto the premises which he uses for his own leisure activities.

9. The surroundings of the site are used for agricultural, horticultural and equestrian purposes. There is a vineyard to the east, open land owned by the National Trust to the north and a residential estate to the south of Littlehampton Road opposite the appeal site.

## THE APPEAL AGAINST NOTICE A ON GROUND (c)

10. It was agreed that the chicken sheds do not fall within any category of permitted development nor has any planning permission been granted for them. Neither was there any dispute that the land is in agricultural use. The dispute between the Council and your client is whether or not the sheds constitute operational development or are structures constituting a use of the land for agriculture. The Council's view is that although the structures are movable they alter the physical character of the land because they are intended to remain permanently within the site which should be considered in its totality.

11. A Direction under the provisions of the Town & Country Planning (General Permitted Development) Order 1995 has been made for a local area of land, including the appeal site, to require express permission for new agricultural buildings otherwise permitted by that Order. However, the scope of that Order is limited to otherwise permitted operational agricultural development.

12. Advice in Planning Policy Guidance Note 7 (PPG7) *The Countryside - Environmental Quality & Economic & Social Development*, Annex C, paragraph C11, is that the Courts have held that some temporary structures used for agriculture are not 'buildings' in planning terms but are a use of land and so outside the scope of planning control. Thus, temporary accommodation for livestock, such as 'pig arks' and moveable poultry shelters, may not be buildings for planning purposes. The status of particular structures is ultimately a matter for the Courts to decide, on the facts of each case. Both parties have drawn my attention to a number of earlier Court decisions together with Counsels' opinions in the circumstances of this appeal.

13. In this case, each chicken house is not placed on foundations, it is not secured to the ground at all and it has no facilities such as an integral water or power supply or indeed any services. Your client moves the structures around on the site to even out wear and erosion of the ground and to avoid 'foul sick land' which I heard can occur where chickens are kept permanently in one place. The sheds are on skids which, together with their limited size and light form of construction, allows them to be easily towed by a vehicle. Furthermore, I heard evidence from interested persons that they had seen the sheds in different places on the land when coming to buy eggs or using the adjacent public footpath. Taking these considerations together I conclude, as a matter of fact and degree in this case, that the physical character of the land is not altered, that the sheds are temporary structures used for agriculture and that they are not 'buildings' in planning terms amounting to operational development.

14. The appeal succeeds on ground (c) and the enforcement notice will be quashed. The appeal on ground (a) and the application deemed to have been made under S177(5) of the amended Act do not therefore need to be considered.

## GROUND (a) & THE DEEMED APPLICATION FOR NOTICE B

15. The development plan comprises the West Sussex Structure Plan (WSSP), approved in 1993, and the Arun District Local Plan (ADLP), also adopted in 1993. Both plans are currently subject to review but those reviews are at an early stage and I have not been made aware of any proposed significant changes to existing policies relevant to these appeals. The WSSP & ADLP

contain a framework of policies which echo National advice in Planning Policy Guidance Note 7 *The Countryside - Environmental Quality & Economic & Social Development.* The policies indicate that new dwellings in the countryside should be strictly controlled unless justified on grounds of essential rural, including agricultural, need. Furthermore, new rural buildings, for whatever purpose, should be sited and designed so as to minimise their impact in the countryside. The appeal site lies outside any identified settlement boundary and is therefore within the countryside for the purposes of development plan policies.

16. From all that I have seen, read and heard I consider the main issue in this appeal to be whether or not there are grounds of agricultural need to justify an exception to the strict control of new dwellings in the countryside.

17. The mobile home is sited close to the 2 site nissen huts and is well screened by planting. Nonetheless, I observed that it was visible from both Littlehampton Road and the public footpath to the east of the site. Advice in PPG7, paragraph 3.21, is the fact that a single house on a particular site would be unobtrusive is not by itself a good argument; it could be repeated too often. Isolated new houses in the countryside require special justification, including where farm workers need to be near their work.

18. PPG7, Annex I, advises that a functional and financial test be applied in such cases. A recent application for the siting of a residential caravan for an agricultural worker on the appeal land was refused and a subsequent appeal against that decision was dismissed in July 1996. The inspector, in that case, concluded that there was no functional requirement for a permanent residential presence on the holding. That decision was made on the basis that about 700 free range hens and the growing of strawberries did not justify an agricultural worker living on-site, particularly as there was a range of dwellings, by size and price, available close to the holding.

19. You told me that the number of free range hens had now increased to about 1,000 birds. More particularly, your client has recently formed a perchery unit in one of the former nissen huts on the land. You indicated that if your client is to expand his business he needs to implement an intensive system because of limitations on increased free range egg production from the size of the site and planning controls over the erection of further agricultural buildings.

20. The perchery currently houses about 150 birds with a fan ventilation system and an audio alarm in case of power failure. It is intended to increase the number of birds in the perchery to about 700-800 within a controlled environment of temperature, lighting and ventilation. Advice from ADAS is that intensive form of egg production would justify a permanent on-site worker to comply with animal livestock welfare regulations, *Codes of Recommendations for the Welfare of Livestock - Domestic Fowls* issued by the Ministry of Agriculture Fisheries and Food and to deal with any power failure or other emergency, not least fire, which could have catastrophic effects if not dealt with expediently. Although alarms can be linked to off-site dwellings the delay in reaching the land from such a dwelling could be critical to the success of any remedial action.

21. The Inspector in the 1996 appeal recognised that a perchery unit would represent a more intensive form of production with further requirements for supervision. However, she could give that consideration little weight at the time because of doubts over the implementation of that scheme. Moreover, you told me that your client had been unwilling to commit himself to the additional costs of a perchery unit so long as there was doubt whether or not the Council would

grant planning permission for it. That element of doubt was removed on 13 March 1997 when the Council granted a Certificate of Lawful Use or Development for the conversion of an existing store building and use as a chicken house.

22. Your client has now commenced formation of the perchery unit but it is not yet complete. Until it is complete and fully stocked the functional test advised in PPG7, Annex 1, paragraph 16, is inconclusive. Although the functional test is inconclusive the Council, notwithstanding reservations about the amount of Standard Man Days (based upon guidelines in John Nix *Farm Management Pocketbook, 26th Edition 1996, Wye College, University of London*) to operate the business, conceded that, in accordance with advice in PPG7, Annex 1, paragraph 110, in applying a financial test, your client's business is already economically viable. The temporary dwelling, further meets advice in PPG7, Annex 1, paragraph 113, because it is well-related to existing farm buildings and suitably located to the perchery unit to meet the identified functional need.

23. I conclude that, in this case, there is evidence of agricultural need to justify an exception to the strict control of new dwellings in the countryside as provided for in the development plan, in terms of Section 54A of the Act, and in National policy guidance.

24. Advice in PPG7, paragraph 114, is that where a new farming activity is being set-up on a newly-created or an established site which would justify an agricultural workers' dwelling it should be provided in a caravan or similar accommodation initially, with a temporary permission for the first 3 years. Furthermore, at the end of that period the temporary dwelling will have to be removed if the requirements detailed in paragraph 114, to justify a permanent dwelling, are not met. It would be unsatisfactory to grant successive extensions to a temporary permission over a period of 3 years. The existing mobile home complies with that advice and you told me that your client would accept such a condition.

25. PPG7, Annex 1, paragraph 117, goes on to advise that planning permissions for agricultural workers' dwellings should be made subject to an occupancy condition to ensure that the dwelling is kept available for that purpose. I shall impose the recommended model condition in PPG7.

26. Accordingly the appeal succeeds on ground (a) and planning permission, subject to the aforementioned conditions, will be granted.

27. I reaching my conclusions on all the grounds of appeal I have taken into account all the other matters raised and all the written representations but none outweighs the considerations that led to my decisions.

## FORMAL DECISIONS

28. For the above reasons, and in exercise of the powers transferred to me, I determine these appeals as follows:

**The appeal under S174 against Notice A (Department's Reference T/APP/C/96/642333)**

I allow your client's appeal, and direct that the enforcement notice be quashed.

**The appeal under S174 against Notice B [Department's Reference T/APP/C/96/642334]**

I allow your client's appeal and direct that the enforcement notice be quashed. I hereby grant planning permission on the application deemed to have been made under S177(5) of the amended Act for the development already carried out, namely the change of use from agricultural to a mixed use for agriculture and the siting of a residential caravan/mobile home on land at North Barn, Littlehampton Road, Ferring, West Sussex, referred to in the notice subject to the following conditions:

1. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

2. The use hereby permitted for the siting of a residential caravan/mobile home shall be discontinued and the land restored to its former condition on or before the expiration of 3 years from the date of this permission in accordance with a scheme of work submitted to and approved by the local planning authority.

## RIGHTS OF APPEAL AGAINST DECISIONS

29. This letter is issued as the determination of the appeals before me. Particulars of the rights of appeal against my decisions to the High Court are enclosed for those concerned.

Yours faithfully

FRANCIS FARRIMOND DipTP MRTPI
Inspector

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## UNITARY DEVELOPMENT PLAN ALLOCATION

Greenbelt.

| HAZARDS | √ | |
|---|---|---|
| LISTED BUILDING | | |
| CONSERVATION AREA | | |
| ARTICLE IV DIRECTION | | |
| TREE PRESERVATION ORDER | | |
| AIRFIELD SAFEGUARDING ZONE | | |
| EMERGENCY SERVICES RADIO AREAS AND FIRE HAZARDS | | |
| WATER POLLUTION | | |
| WATER SUPPLY RESTRICTED SURFACE AREAS | ✓ | |
| SEWAGE TREATMENT WORKS DRAINAGE AREAS | ✓ | |
| HAZARDOUS SUBSTANCES CONSULTATION AREA | | |
| WASTE TIPPING CONSULTATION AREA | ✓ | 051 |
| COAL AUTHORITY TO BE CONSULTED | | |
| AREA WITHIN WHICH THERE ARE BRITISH COAL OPENCAST WORKING SITES (PAST, CURRENT, PROSPECTIVE) | ✓ | |
| COAL AUTHORITY TO BE CONSULTED ON SURFACE DEVELOPMENTS WITHIN THESE AREAS | | |
| AREA WHERE COAL MINING MAY TAKE PLACE | | |
| AREA WHERE COAL MINING HAS TAKEN PLACE | | |
| COAL AUTHORITY AREA WHERE ACTIVE WORKINGS ARE CURRENTLY TAKING PLACE OR WHERE FUTURE WORKS ARE LIKELY IN THE NEXT 20-30 yrs (4/78) | | |
| HIOP CONSULTATION ZONE | ✓ | |
| Overhead power lines | ✓ | |
| Footpath | ✓ | |
| | | |
| | | |
| | | |
| ARCHAEOLOGICAL SITE | | |
| GAS PIPELINES | | |

## COMMITTEE REPORT AUTHORISATION

| DIRECTOR | HPS | HIGHWAYS |
|---|---|---|
| ENV. HEALTH | LEGAL | ARB. OFFICER |
| OTHERS | | |

| DECISION NOTICE TO: APPLICANT/AGENT | HIGHWAYS | RAILTRACK | OTHER (PL |
|---|---|---|---|
| ENV. HEALTH | JCAS | ARB. OFFICER | |
| LEGAL SERVICES 5/9/02 | LIVERPOOL MUSEUM | PARISH NOTIFIED | |