

2018 July 31

Planning at CYC
via email

Dear Sirs

16/01813/FULM Land at Grid Reference 458205 449925 West of Bradley Lane Rufforth York for erection of poultry farm comprising 6 poultry sheds with ancillary buildings, access road and landscaped embankments (Resubmission)

CPRENorthYorkshire notes the recent comments on your web site for the above application however, we were not notified of further consultation for interested parties. We have, over the past two years commented regularly.

Our objection to the above proposal stands and is as as vehement and strong as the original objection. We strongly object to the principal of development in the green belt. The rationale behind this objection is attached in the original objection made to CYC.

We endorse and support the objections made by Rufforth with Knapton Parish Council, Askham Richard Parish Council and the large number of local residents who have taken the time to object to this application.

Yours Sincerely

The Chairman & Trustees of CPRENorthYorkshire

Dear Sirs

16/01813/FULM
Creation of a new farm at Bradley Lane Rufforth
re-submission of 15/02031/FULM

OBJECT

Dear Sirs

CPRE has been lobbied at National, Regional and Branch level by concerned members of the public regarding the above application.

The **new** broiler farm would be created, in an area of open countryside, where no farm buildings currently exist. The proposed site in the York Green Belt would be large scale at 5.1 hectares of which 2.43 hectares would form the development which includes six poultry buildings, biomass boiler, feed silos wood chip stores site office etc.

Our response focusses purely on the issue of the green belt

NPPF para 79 *The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open: the essential characteristics of Green Belts are their openness and their permanence.*

NPPF para 87 *As with previous Green Belt policy, inappropriate development, is by definition, harmful to the Green Belt and should not be approved except in very special circumstances*

NPPF para 88 *When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*

Application 15/02031/FULM was recommended for refusal by planners and we endorse this recommendation and submit that the harm of the proposal outweighs the benefits.

The proposal would degrade the quality of the green belt and reduce the openness putting the permanence of this green belt at risk

An industrial proposal of this size and scale masquerading as sustainable farming is wholly inappropriate development within the York Green Belt.

Our objections are illustrated in the following pages

1 Openness of the Green Belt

NPPF para 79 *The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open: the essential characteristics of Green Belts are their openness and their permanence.*

What is openness?

There is no definition in the NPPF of 'Permanently open' and 'openness' even though the concepts lie at the heart of section 9 in the NPPF

The fundamental aim of Green belt policy is keep land 'permanently open'.

The Oxford dictionary describes openness as
The quality of NOT being covered with buildings or trees.

It is reasonable to assume that the definition of openness in the Government's Greenbelt policy applies to buildings being created.

However in NPPF 79

R (Lee Valley Regional Park Authority) v Epping Forest DC [2016] EWCA Civ 404, Treacy, Underhill, Lindblom LJJ

"The concept of "openness" here means the state of being free from built development, the absence of buildings - as distinct from the absence of visual impact"

The proposed large scale industrial new build within in the York Green Belt, would impact adversely on the very openness the NPPF sees to protect and enhance in section 79.

Developers will argue though that this is agricultural development and therefore is acceptable. However, this application calls for the loss of over five hectares of agricultural green fields. These agricultural fields could be described as the *golden thread* running through the green belt, the fields which contribute positively to and are an essential part of the Green Belt. The green fields would be replaced with 6 industrial warehouse buildings, one site office, one holding tank nine feed silos, three wheat bins, one new access road, one wood chip store, one boiler room and a diesel storage tank.

We also note the following in relation to Timmins v Gelding BD (2014) EWHC 654

While the facts of the case are not particularly interesting, the judgement is, giving helpful guidance on the operation of the Green Belt policies contained in section 9 of the National Planning Policy Framework ("the Framework") and on the relationship between openness and visual impact.

Six industrial sheds and associated buildings, plus parking and landscaping on over 5 hectares will without any doubt change and adversely effect the openness of the green belt and the character and appearance of the landscape.

Surrounding the site with landscaping to prevent the site being seen from the Green Belt is simply admitting that the site needs or ought to be hidden from view and therefore accepts that it should not be there. The proposed landscaping does not prevent the openness of the green belt being reduced or degraded.

"any construction harms openness quite irrespective of its impact in terms of obtrusiveness or its aesthetic attractions or qualities. A beautiful building is still an

*affront to openness, simply because it exists. The same applies to a building that is camouflaged or rendered unobtrusive by felicitous landscaping" (para 74)
Mr Justice Green Timmins v Gelding BD (2014) EWHC 654.*

CPRE North Yorkshire would not object to the creation of barns appropriate in size and scale to an existing farm to ensure the operation of an existing farm business however in this case, this application represents the creation of a new development within the Green Belt of York which incurs the loss of over 5 hectares of agricultural fields in an area predominantly surrounding by agricultural fields contributing positively to the York Green Belt.

The size and scale of the proposal would present a significant impact on the openness of the Green Belt and therefore is contra to NPPF 79. The application should be refused.

2 Agriculture and land management v industrial farming

The importance of farming cannot be overstated. it is the main user of land in England, and the valued and varied patchwork of landscapes, our countryside, has been created over millennia of farming interacting with nature, feeding us in body, mind and spirit.

With good stewardship, the land maintains the quality of water, cuts flood risk and protects the landscape and wildlife. CPRE food & farming foresight

The development presents **new build in the York Green belt** with the creation of a new industrial/intensive/factory farm. The development would operate as a broiler farm.

Applicant's agents state the following:

Farming proposals are prima facie sustainable development and the proposal contributes to all three dimensions positively i.e. economic, social and environmental

On first glance, this is indeed a farming proposal however, on closer inspection it represents intensive, industrialised, factory farming.

Intensive because as many animals as possible are crammed together

Industrialised because feeding, watering and dung clearing are often performed automatically

Factory because the philosophy of mass production is what lies behind it all.

Recent case law and PINS have stated that agricultural development within the green belt is an appropriate **sustainable use of land**. However, as this refers to the National Planning Policy throughout which sustainability is key, it is reasonable to assume that the recent case law and PINS refer to **sustainable agriculture**.

The use of agricultural fields, to create 24300 square meters of industrial buildings which would house of over one quarter of a million birds at any one time and associated feeder silos, biomass boilers, access road and parking etc is not a sustainable use of agricultural land.

The Governments own Food 2030 strategy calls on farmers to increase output sustainably by improving productivity and competitiveness whilst using resources responsibly.

It is disingenuous to suggest that industrial, factory farming is sustainable and therefore fulfils para 14 of the NPPF.

To illustrate the argument above, we have clearly addressed the issues of green belt, agriculture, industrial agriculture, sustainability

Green Belt - the purpose of which is to create a ring of countryside where urbanisation will be resisted maintaining an area where agriculture, forestry and outdoor recreations can be expected to prevail. The fundamental aim of green belt policy being to prevent urban sprawl by keep land permanently 'open' and consequently the most important attribute of green belts is their openness.

Definition of agriculture: The science or practice of farming, including cultivation of the soil for growing of crops and the rearing animals to provide food, wool and other products

Definition of Industrial Agriculture: Intensive animal farming or industrial livestock production, also called factory farming by opponents of the practice, is a modern form of intensive farming that refers to the keeping of livestock, such as cattle, poultry (including in "battery cages") and fish at higher stocking densities than is usually the case with other forms of animal agriculture—a practice typical in industrial farming by agribusinesses.

The main products of this industry are meat, milk and eggs for human consumption. There are issues regarding whether factory farming is sustainable and ethical.

Definition of Sustainability In 1987 The Brundtland Report was published by Oxford University. The report deals with sustainability. The report deals with planet earth not just one area.

Why? Because someone needed to examine a global concern about:
'the accelerating deterioration of the human environment and natural resources and the consequences of that deterioration for economic and social development'

Sustainable development has been defined as balancing the fulfilment of human needs with the protection of the natural environment so that these needs can be met not only in the present but in the INDEFINITE future.

So - development is necessary, we all accept that but Brundtland takes it further and states it is about balancing human needs with the protection of the natural environment for ever.

If we add Brundtlands report to Hillary Benn's speech to the Oxford Farming Conference in January 2010 then we can understand more about sustainability.

Hillary Benn stated that Britain needs to grow more food whilst using less water and reducing greenhouse gas emission to respond to growing world populations.

The government has produced the Food 2030 report which clearly states that 'food and farming play a key role fighting climate changes and a nations health.'

Intensive farming systems are reliant on high oil and chemical inputs, which are neither sustainable nor resilient to likely future shocks, such as global price rises. The solution lies in sustainable mixed and agro-ecological farming.

The Campaign for the Farmed Environment takes it further by adding they are producing a wealth of ideas on how farmers can help increase biodiversity and protect valuable resources. CPRE recently published a farming foresight paper urging more diversification and small farms to meet our needs.

The Brundtland report and Food 2030 confirm that we need to sustainably develop the country in a way that looks after this and future generations - we must protect the agricultural land we have.

Agents for the applicant feel that the site fulfils an Environmental Role - *Because it is an environmentally efficient system of farming with associated landscaping and other measures to protect and enhance the local natural and built environment and deliver biodiversity benefits.*

This statement ignores the fact that valuable food producing agricultural land within a green belt will be sacrificed in favour of this development. The agricultural land under threat currently performs two roles, it contributes to the food system and enhances the green belt.

The proposal identifies a new build, on an industrial scale within a green belt. It is neither appropriate nor sustainable. We submit that the rearing and movement of over 250,000 chickens per eight weeks represents industrialised farming. Notwithstanding the ethical and sustainability issues of the proposal, this application represents industry within a green belt.

An alternative location for this new build should be explored to safeguard the green belt. We are aware that animal welfare is not a material planning consideration and therefore will not discuss the principles of intensive factory farming however will end this submission with:

“All animals are equal but some are more equal than others”. George Orwell

August 25th 2016
CPRE North Yorkshire
cprecraven@me.com
www.cprenorthyorkshire.co.uk