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# Planning Statement

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Full planning application for the Proposed Change of Use of Agricultural buildings to B2 (General Industrial) and B8 (Storage and Distribution)

Kittle Hill Farm, Kittle Hill Lane, Kittle, Swansea, SA3 3JQ

October 2022



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APPLICANT'S DETAILS

Ridgeway Foods

ISSUED BY

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PROJECT

Full planning application for the Proposed Change of Use of Agricultural buildings to B2 (General Industrial) and B8 (Storage and Distribution) at Kittle Hill Farm, Kittle Hill Lane, Kittle, Swansea

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## 1.0 Introduction

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- 1.1 This Planning Statement accompanies a full application made on behalf of Ridgeway Foods for the Proposed Change of Use of Agricultural buildings to B2 (General Industrial) and B8 (Storage and Distribution) at Kittle Hill Farm, Kittle Hill Lane, Kittle, Swansea, SA3 3JQ
- 1.2 This statement should be read in conjunction with the other documents which have been submitted as part of this full planning application submission, these include:
- Site Location Plan
  - Existing Site Block Plan
  - Existing Elevation Plans
  - Phase 1 Ecological Survey
  - Transport Statement
  - Flood Risk Assessment

### **The Applicant**

- 1.3 Ridgeway Foods Group is a large privately owned producer, packer and marketer of eggs to retail and wholesale customers. Ridgeway are experiencing a high threat of no longer being allowed to function with their hens in ‘enriched colony cages’ within these buildings.
- 1.4 As a result of the buildings being purpose built for enriched colony cages they are not of a suitable size or scale to be utilised for any other agricultural use. As such the applicant is seeking to change the use of these buildings to something which will utilise the space. In this case the best use would be B2 and B8.

## 2.0 Planning History

Reference	Description of Development	Decision Date	Decision
2016/0197	Discharge of condition 4 of Planning Permission 2015/2144 granted 21st December 2015	Wed 02 Mar 2016	Approved
2015/2144	Variation of condition 1 of planning permission 2011/1257 granted 6 August 2014 to allow for the submission of additional landscaping detail outside the agreed time period.	Mon 21 Dec 2015	Approved
2015/2136	Variation of condition 1 of Planning Permission 2011/0069 granted 6th August 2014 to allow for the submission of additional landscaping detail outside the agreed time period.	Tue 15 Dec 2015	Approved
2015/1655	Installation of solar pv panels on the roofs of two existing buildings (application for a Certificate of Lawfulness)	Wed 25 Nov 2015	The proposal is lawful
2015/1653	Discharge of condition 1 (landscaping) of planning permission 2011/1257 granted 6th August 2014	Thu 01 Oct 2015	Approved
2015/1654	Discharge of condition 1 (landscaping) of planning permission 2011/0069 granted 6th August 2014	Thu 01 Oct 2015	Approved
2014/1407/DOC	Discharge of condition 2 of planning permission 2011/1257 dated 6th August, 2014	Mon 03 Nov 2014	Approved
2011/0069	Retention of eight silos and water silos	Wed 06 Aug 2014	Approved
2011/1257	Variation of condition 7 of planning permission 2009/1410 granted on 18th March 2010 to allow an increase in the number of laying birds to be accommodated within the buildings to 400,000.	Wed 06 Aug 2014	Approved
2014/0282	Variation of conditions, 6, 10 and 11 of planning permission 2009/1410 granted 18th March, 2003 to allow the submission of	Tue 03 Jun 2014	Approved

	BREEAM certificates and further drainage information.		
2009/1410	Three replacement chicken sheds and one packaging shed	Thu 18 Mar 2010	Approved
A01/0098	Erection of 15 metre high telecommunications mast with three cross polar antennae, two microwave dishes and an equipment cabin	Fri 22 Jul 2005	Application withdrawn

2.1 The principal permission for the site, for three replacement poultry sheds and a packaging shed, was approved in 2010. This planning consent was implemented within the time requirement, conditions have been discharged, and the development has been completed in full. The permission did not place any restriction on highway movements.

### 3.0 Site Location and Context

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- 3.1 The application site consists of three poultry buildings, and a pack house, along with associated infrastructure set within a 1.8ha site.
- 3.2 Directly to the north of the site is a series of agricultural buildings which are in third party ownership. The village of Kittle is located approximately 185m to the site of Kittle Poultry Farm. The surrounding land is agricultural.
- 3.3 Two of the poultry houses are 103m x 19.44m, with the third being 100m X 19.44m. The packing shed is approximately 48m x 30m.
- 3.4 The site benefits from hardstanding each end of the poultry houses and to the rear of the pack house which provides ample space for vehicle turning and parking for the proposed use.
- 3.5 The site's is accessed via Kittle Hill Lane. HGVs only access the site from the north, where Kittle Hill Lane leads onto the A4118.
- 3.6 The general location of the site is shown by the map below.

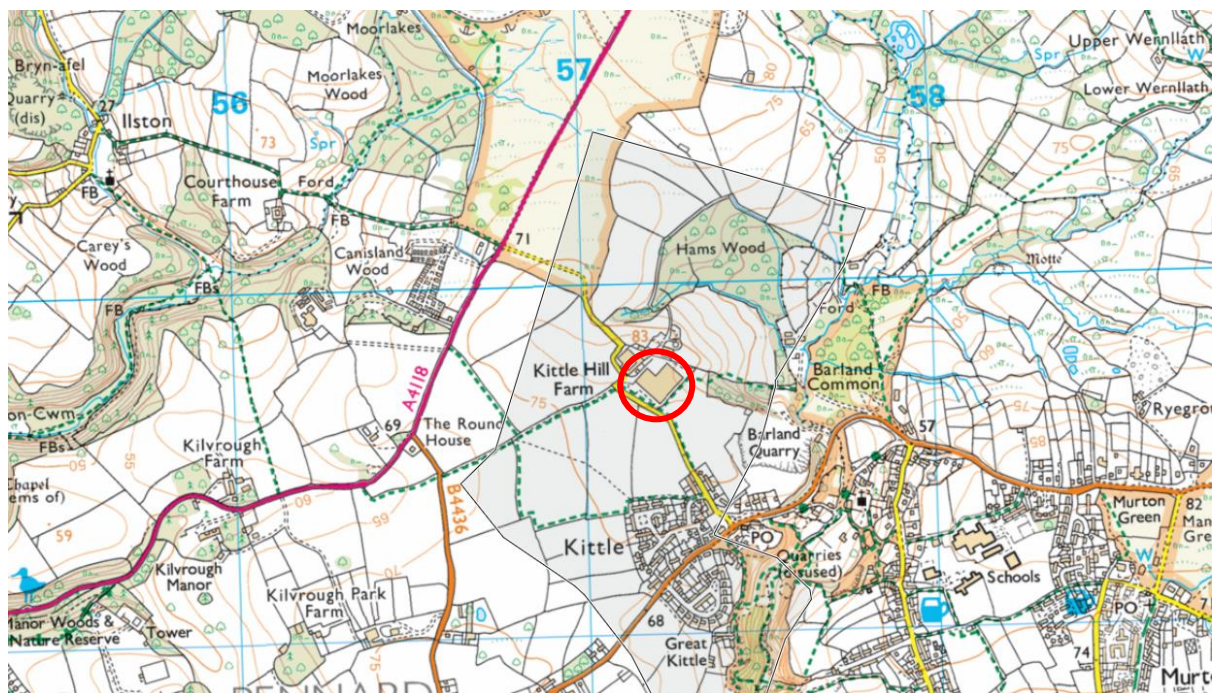


Figure 1: Bing OS map of site

## 4.0 The Proposed Development

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- 4.1 The proposal is for the Proposed Change of Use of agricultural buildings to B2 (General Industrial) and B8 (Storage and Distribution). These buildings along with the associated hardstanding will only change use with no external alterations except for the removal of machinery associated with the existing agricultural use.
- 4.2 The existing use is for agriculture for the operation of an Egg production and packing facility. This facility is equipped with enriched colony cages for the colony caged hens with production levels of approximately 2.5 million eggs per week from approximately 400,000 egg laying hens.
- 4.3 The buildings are capable of supporting the proposed use without alteration to their fabric, and there is no requirement for demolition, rebuilding, or any physical works to the buildings or associated infrastructure.

### **Justification of ceasing agricultural use**

- 4.4 The colony caged hen part of agriculture is currently coming to a close with the European Commission positively responding to the European Citizens' Initiative (ECI) "End the Cage Age" by stating that by the end of 2023, a legislative proposal will be issued to phase out, and finally prohibit, the use of colony cage systems for all animals mentioned in the Initiative (including laying hens). This can be seen in Appendix 1. Although this is specific to the European Union, the UK would have to follow suit in order to trade with them, therefore, the legislations will have to align.
- 4.5 On 21 May 2021, the Parliament's Agriculture Committee (AGRI) backed the phase-out in a resolution adopted by 39 votes in favour to 4 against. Their vote came in response to the European Citizens' Initiative (ECI) 'End the Cage Age', which collected 1.4 million signatures and gained support from scientists and big agri-food companies.
- 4.6 AGRI agreed with the petition and asked the European Commission to revise the 1998 EU Directive on farmed animals (98/58/EC) to add the objective of phasing-out the use of cages in EU animal farming. However, they also

insisted on first conducting a “solid, scientific impact assessment” into the possible costs of this decision and a long transition period – suggesting 2027 as the possible starting date for a full ban.

- 4.7 On the 10<sup>th</sup> June 2021 the European Parliament voted on the Europeans Citizens’ initiative ‘End the cage age’ proposing a ban on the use of cages in farming in the EU. This vote accepted the initiative by the European Parliament with 558 in favour, 37 against and 85 abstentions seen in Appendix 2.
- 4.8 Further to the above, the Welsh Government has plans to end the use of cages in farming, including enriched cages for laying hens, which is set out within Our Animal Welfare Plan for Wales 2021-26 (Welsh Government, 2021). The Welsh Government is undergoing consultation on this and changes to law will take place in the short term, over the next few years. As a result, it is essential that the business at Kittle Farm diversifies and adapts quickly to these changes.
- 4.9 Such uncertainty surrounding the colony caged hen business is not a secure place to remain in agriculture and the banning of colony caged hens is not something of an ‘if’ but more of a ‘when’ it happens. Further to this, outside of specific rules and legislations, supermarkets are moving away from the colony caged hens egg market and moving to entirely free range with Morrisons first doing this in February 2020 (Appendix 3). Sainsburys followed suit selling only free-range eggs from April 2020 (Appendix 4) and the other supermarkets committing to stop by 2025 (Appendix 5). Therefore, from now on a phasing out will be seen and this will result in the major supermarkets not renewing their contracts with the egg suppliers.
- 4.10 Most recently on the 3<sup>rd</sup> October 2022 Lidl announced that they will be committed to selling 100% RSPCA Assured free range eggs by the end of 2024, this has been published on their official website as seen in Appendix 6.
- 4.11 Specifically, to this site, a major customer contract is due to finish which will have a significant impact on the business and could result in the closure of this site. Therefore, it is important to act on this before it happens to avoid

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immediate economic difficulties to this company. The re-purposing of these buildings will provide new income to the company which will aid retaining jobs.

## 5.0 Access and Traffic Movements

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- 5.1 The site is served by an existing access onto Kittle Hill Lane.
- 5.2 A Travel Plan was submitted to the Local Planning Authority as part of the discharge of condition 2 attached to 2011/1257, a variation of condition application. The Travel Plan utilised within the determination of this application is available via Swansea Council's planning application search tool under the reference 2014/1407/DOC. The Travel Plan sets out a prediction of traffic movements and how these will be managed to minimise the impact of the highways network, however it should be noted that this does not place any limit on the use of the access and there are no planning conditions that are in place to limit the use of the access.
- 5.3 The Travel Plan (provided within 2014/1407/DOC) identifies the following vehicle movements:

<b>Delivery of feed:</b>	20 HGV Arctic lorries per week
<b>Delivery of packaging:</b>	5 lorries per week
<b>Delivery of fuel:</b>	1 fuel delivery per month
<b>Replacement skips</b>	1 per month
<b>Post delivery</b>	Every day
<b>Delivery van</b>	Small domestic size 5 per week
<b>Internal vehicles:</b>	2 Tractors based on site
<b>Egg collection</b>	18 HGV Arctic lorries per week
<b>Emptying cesspit:</b>	Medium sized lorry once annually
<b>Staff cars</b>	Estimated 40-50 per day every day of the week

- 5.4 This change of use application is supported by a highways statement which concludes that the proposed change of use can be accommodated without leading to any road safety or capacity issues on the surrounding network.

## 6.0 Appearance and Landscaping

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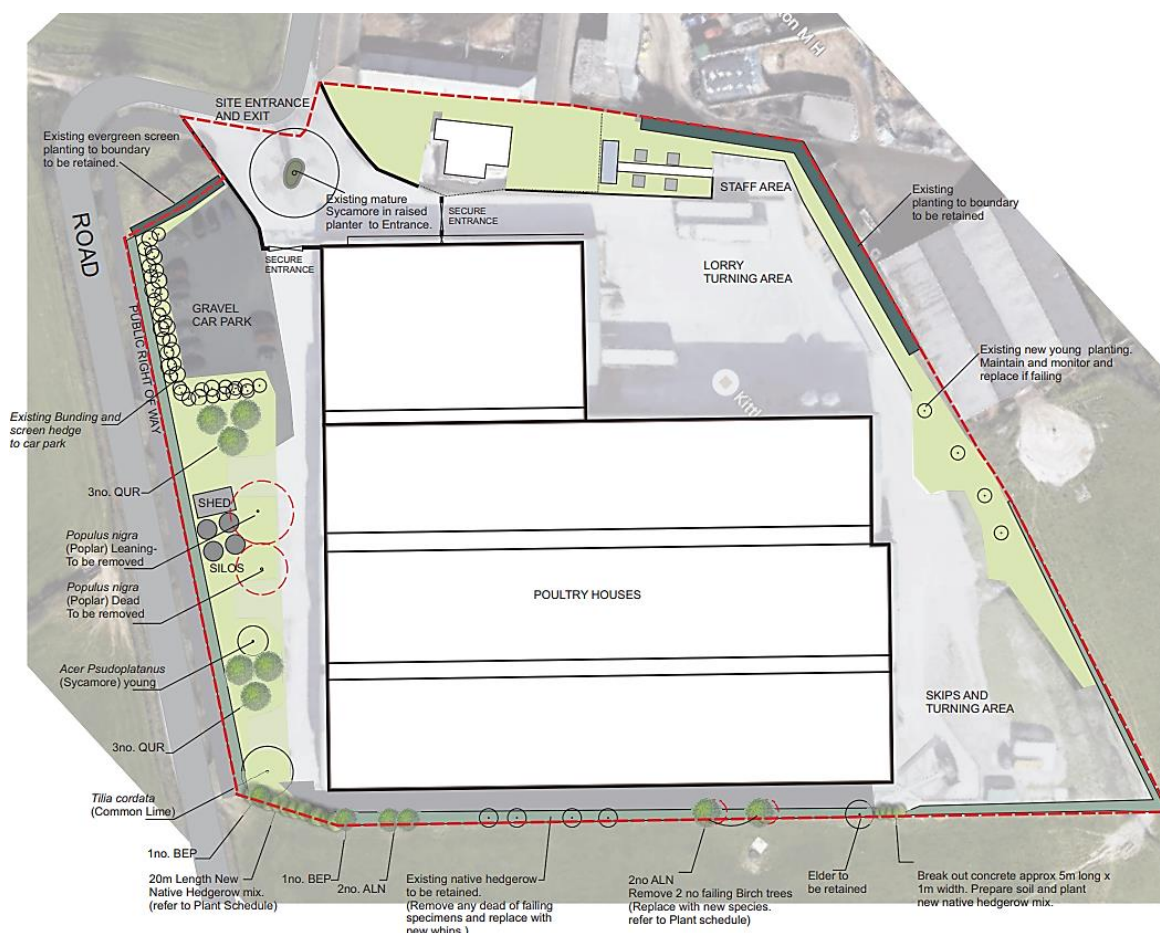
6.1 The proposed is for the change of use of the site and does not involve any physical works to the buildings or associated infrastructure. The surrounding yard area will also remain unchanged and provides ample space for parking, turning, and accommodating deliveries. The proposal will not give rise to any changes to the character and appearance of the site.

6.2 The buildings are of a standard steel framed construction and are all structurally sound and in good condition. The existing steel sheeting is in good condition, and does not require any replacement to enable the new use. The existing dark green colour would be retained in order to ensure the buildings retain their agricultural appearance are viewed as part of the wider landscape.



6.3 The applicant through their history of operating at the site has sought to minimise the impact of the buildings and operations which has included actively providing green infrastructure to provide screening to the buildings. A landscaping plan has been formally adopted and implemented as part of

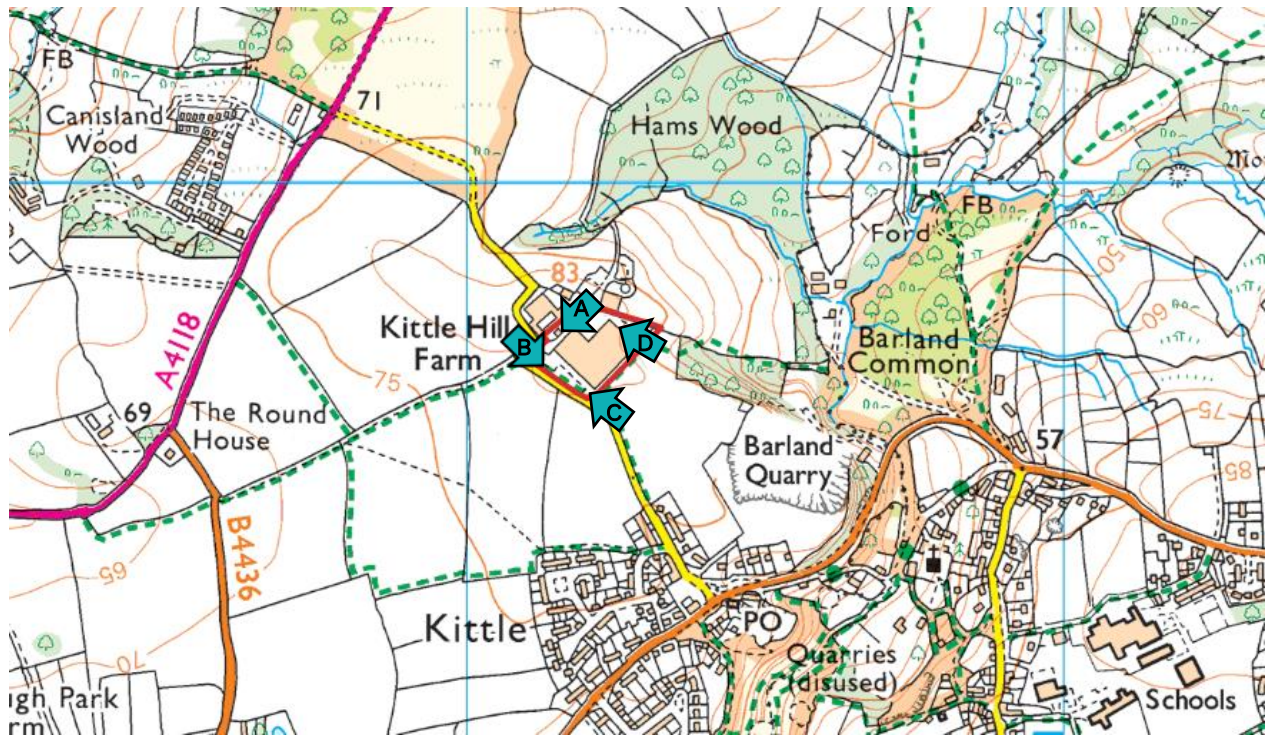
historic planning application, the most recent being a discharge of conditions application approved in December 2015 (2015/2144). A section of the approved Landscaping Plan for 2015/2144 is included below.



Above: Approved Landscaping Plan (2015/2144)

- 6.4 The planting which was existing at the site, and the planting undertaken as part of the approved Landscaping Plan, ensures that the buildings are to a large extent screens, and they are viewed as integrated parts of the rural, agricultural, landscape.
- 6.5 Public rights of way run the south-western boundaries and south-eastern boundaries. There is significant existing tree and hedgerow planting on each of the boundaries which provides screening from these PROS and from distant views

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Above: Photo A



Above: Photo B



Above: Photo C

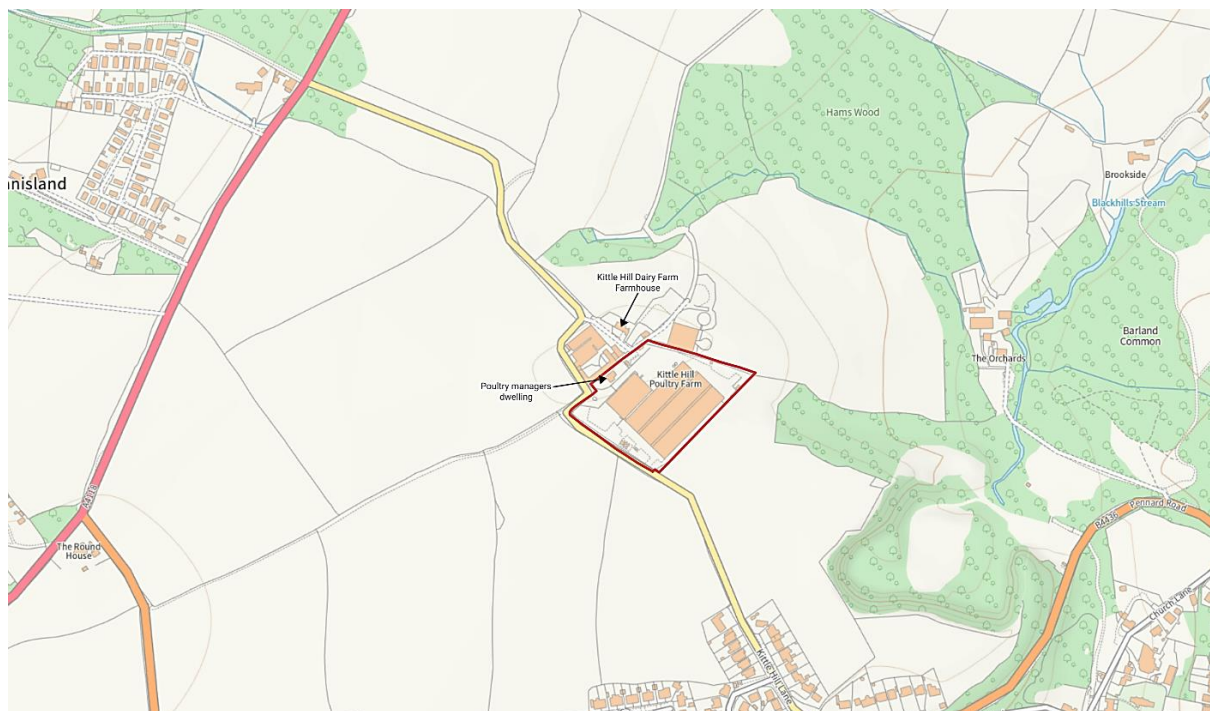


Above: Photo D

## 7.0 Residential Amenity

7.1 Kittle Hill Dairy Farm and the associated farmhouse is located directly adjacent to the application site. The poultry managers located directly to the north of the site is within the ownership of the applicant but does not form part of this application. With the exception of these properties there are no other residential dwellings within 200m of the site.

7.2 Nonetheless, the proposed B8 use of the site is considered to better assimilate with residential properties than the existing use of the site, as vehicle movements to the site will be more likely to take place and the B2 and B8 use of the site will not give rise to any of the noise, dust and odour issues associated with the existing use.



7.3 The proposed use of the site is therefore considered to provide an improvement to residential amenity over the existing lawful use of the site.

7.4 There will be no increase in the impermeable surface area of the site and the existing drainage for the yard and buildings will be maintained.

## 8.0 Ecology

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- 8.1 The proposed involves no physical works to the buildings or the site, the application is solely for the change of use from agricultural to B2 (General Industrial) and B8 (Storage and Distribution) uses.
- 8.2 This application is supported by a Preliminary Ecological Appraisal which has been carried out by Arbor Vitae Environmental. The report confirms that the proposal will have no impact upon habitats or outdoor areas.
- 8.3 The assessment has found that the buildings on site provide negligible potential as a roosting site for bat species, and that the proposed will have no impact upon roosting sites or bat species. The assessment also concludes that there will be no impact on breeding birds or habitats which may be used by breeding birds on site or in proximity to the site. There are no ponds within 250m of the site, the proposed does not therefore have any potential impact on Great Crested Newts.
- 8.4 The ecological enhancements proposed by Arbor Vitae Environmental will be implemented in full.
- 8.5 The proposal will have no adverse ecological implications, and the addition of bat and bird boxes on site will provide habitat betterment.

## 9.0 Planning Policy

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### Planning Policy Wales, Edition 11

- 9.1 Welsh national planning policy is contained within Planning Policy Wales (PPW), Edition 11, which is supplemented by the adopted Technical Advice Notes (TANs).
- 9.2 A primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.
- 9.3 PPW emphasises that at the heart of the planning system in Wales is a commitment to delivery, and to maximise the contribution of the planning system to achieve the goals set out within the Well-being of Future Generations Act.
- 9.4 PPW states that the planning system should enable development which contributes to long term economic well-being, making the best use of existing infrastructure and planning for new supporting infrastructure and services. The proposed change of use of the site and the buildings is in response to the business taking a long-term view of how the site may be best utilised, how jobs and employment can be protected, and how the site can best serve its local community amongst changes to agricultural practices and legislation. As presented previously in this statement, the type of egg production carried out at Kittle Poultry Farm is being phased out, as a result the business needs to take a considered approach to how the buildings may be best used in the future, and how employment opportunities may be best protected in the long term.
- 9.5 Paragraph 2.27 of PPW states that planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process. Due to changes in legal and market demands, the agricultural operations at Kittle Farm will be drastically affected in the short-term, and the employment generating potential for the site will be

significantly reduced or cease in its entirety. The proposal represents an opportunity to mitigate the economic and social harm that these changes would do to the local economy by allowing the creation of jobs linked to the proposed B2 and B8 uses. The proposed meets environmental aims through the re-use of existing buildings, which is more resource efficient and less carbon intensive than the development of new buildings and infrastructure. Further to these environmental benefits, the proposed requires no physical works, and creates employment on a site that is already fully developed.

- 9.6 Paragraph 3.38 of PPW states that the countryside is a dynamic and multi-purpose resource and that fostering adaptability and resilience will be a key aim for rural places in the face of the considerable challenge. Further to this paragraph 5.6.1 states that the rural economy must develop a wide base if it is to be adaptable and resilient to the challenges it faces now and in the future. The proposal fully embodies this as it will allow a business which is facing significant challenges to the way it operated in the coming years and needs to make the changes in the short term to protect jobs and employment to enhance the benefit of the site in the medium and long-term.
- 9.7 Planning Policy Wales places emphasis on the need for employment land and states that wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration. Paragraph 5.6.3 recognises that many commercial and light manufacturing activities can be located in rural areas without causing unacceptable disturbance or other adverse effects, and it identifies that some of this provision will come from the re-use of existing buildings. The re-use of the existing site and buildings at Kittle Poultry Farm is a way for the business to diversify, and adapt to changes to their sector which are detrimentally affecting their ability to continue the current operations at the site. The site does have access via alternative means to private cars, which is set out within the Transport Statement supporting this application.

## Technical Advice Note 6: Planning for Sustainable Rural Communities

- 9.8 Technical Advice Note 6 (TAN6) recognises that strong rural economies are essential to support sustainable and vibrant rural communities, and states that planning authorities should support the diversification of the rural economy as a way to provide local employment opportunities, increase local economic prosperity and minimise the need to travel for employment. The proposed change of use readapts existing buildings and would help to protect jobs on the site in the medium and long term.

## Future Wales: The National Plan 2040

- 9.9 Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.
- 9.10 The Future Wales strategy strongly supports diversification within the agricultural sector, recognising that in order to foster a strong and prosperous economy it is essential to be forward looking and adaptable.

## Swansea Local Development Plan 2010-2025

- 9.11 At the local level planning policy is set out within the Swansea Local Development Plan (LDP).
- 9.12 Policy ER4 is designed to conserve, and enhance the natural beauty of the Gower Area of Outstanding Natural Beauty (AONB). Policy ER4 states that development within the Gower AONB must:
- i. Not have a significant adverse impact on the natural assets of the AONB or the resources and ecosystem services on which the local economy and well-being of the area depends;*
  - ii. Contribute to the social and economic well-being of the local community;*
  - iii. Be of a scale, form, design, density and intensity of use that is compatible with the character of the AONB;*

- iv. *Be designed to an appropriately high standard in order to integrate with the existing landscape and where feasible enhance the landscape quality; and*
- v. *Demonstrate how it contributes to the conservation and enhancement of the natural beauty of the AONB.*

9.13 The proposal involves the change of use of a poultry farm into B2 (General Industrial) and B8 (Storage and Distribution) use, no physical works are proposed to the buildings or site. The scale and design is therefore unaltered by this proposal. The proposal does not require the removal of any habitat, and the landscape plans approved in previous consents will remain in place in order to ensure the suite remains integrated into its wider landscape and to protect habitat on-site. As set out previously the proposal is a means of repurposing a site, that will in the near future be taken out of egg production, in order to protect employment on the site for the benefit of the local area. The proposal therefore does conserve the character of the AONB and would ensure its continued enhancement through the maintenance of the previously approved landscape management plan. For the reasons set out above the proposal also complies with policy ER5, Landscape Protection.



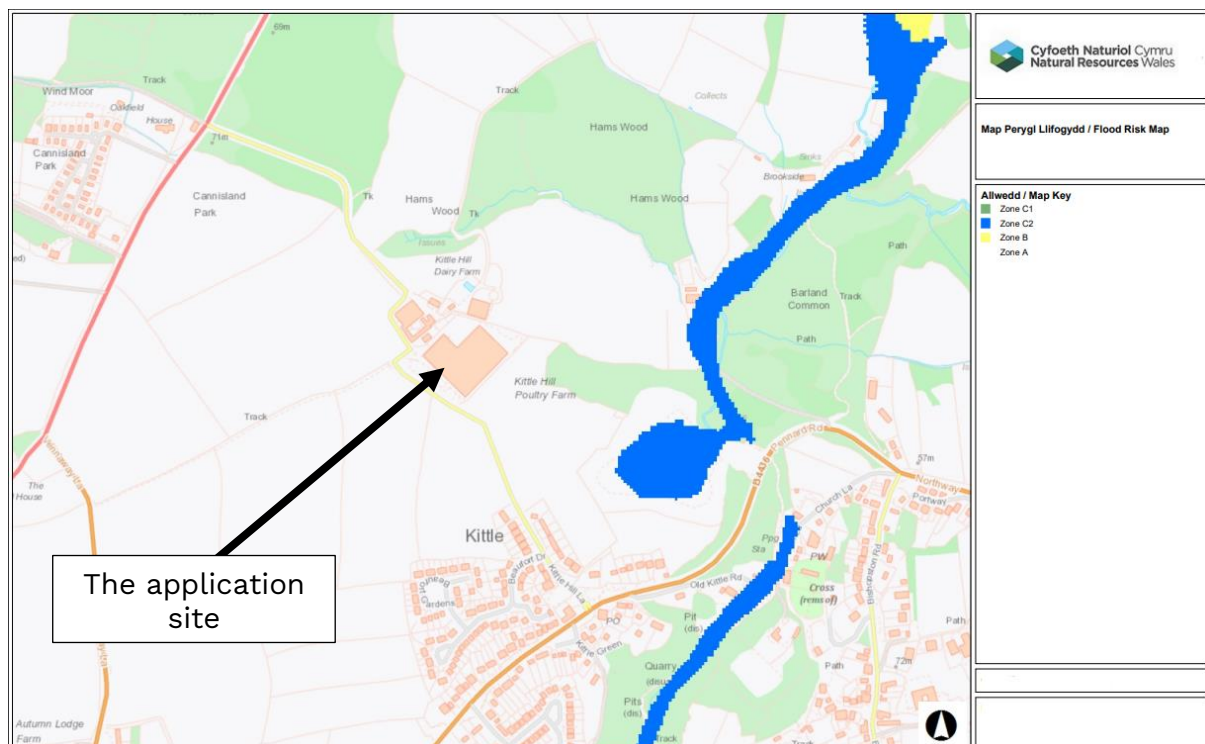
Above: Gower AONB (highlighted in light blue)

- 9.14 Policy PS 4 sets out the Local Authorities strategy for the provision of employment sites. This is focused around Strategic Development Areas but does allow for development in Key Villages, and in the countryside where it will help to enhance and diversify the rural economy. The proposal is for a diversification to the rural economy, which adapts to changing consumer and legislative requirements. Kittle Poultry Farm is in close proximity to Kittle, a Local Centre, and Pennard and Southgate which are identified by CV 1 as key villages. The business that operated Kittle Poultry Farm has taken a flexible approach to preparing for market changes, the proposed change of use is at the heart of this and aims to retain jobs at the site and support the surrounding rural economy. The proposed is considered to meet the objectives of policy PS 4.
- 9.15 Paragraph 2.8.47 emphasises that it essential that there are employment land opportunities for a range of potential enterprises and commercial investors to accommodate employment generating proposals and to facilitate diversification of the economic base. Whilst the site is in agricultural use, it is the source of employment to the local area. Whilst the site is not identified for employment (B Class) uses it is considered that this is the most appropriate use for the site in the medium and long-term and will retain the site for employment generating uses. The proposal is therefore considered to be consistent with RC 10, Employment and Enterprise Development.
- 9.16 The proposal is for the change of use of an agricultural building to provide a commercial use in the open countryside and therefore relates to rural employment outside of development boundaries. The proposal is moderate in scale and comprises the reuse of an appropriately located and suitably constructed existing rural building just a short distance from the A4118. Policy CV 2 encourages the re-use of existing buildings as this allows the rural economy to develop and diversify without adversely affecting the integrity of the countryside. The proposed use and location is considered appropriate and ensures that the countryside which policy CV 2 seeks to protect is maintained and conserved.

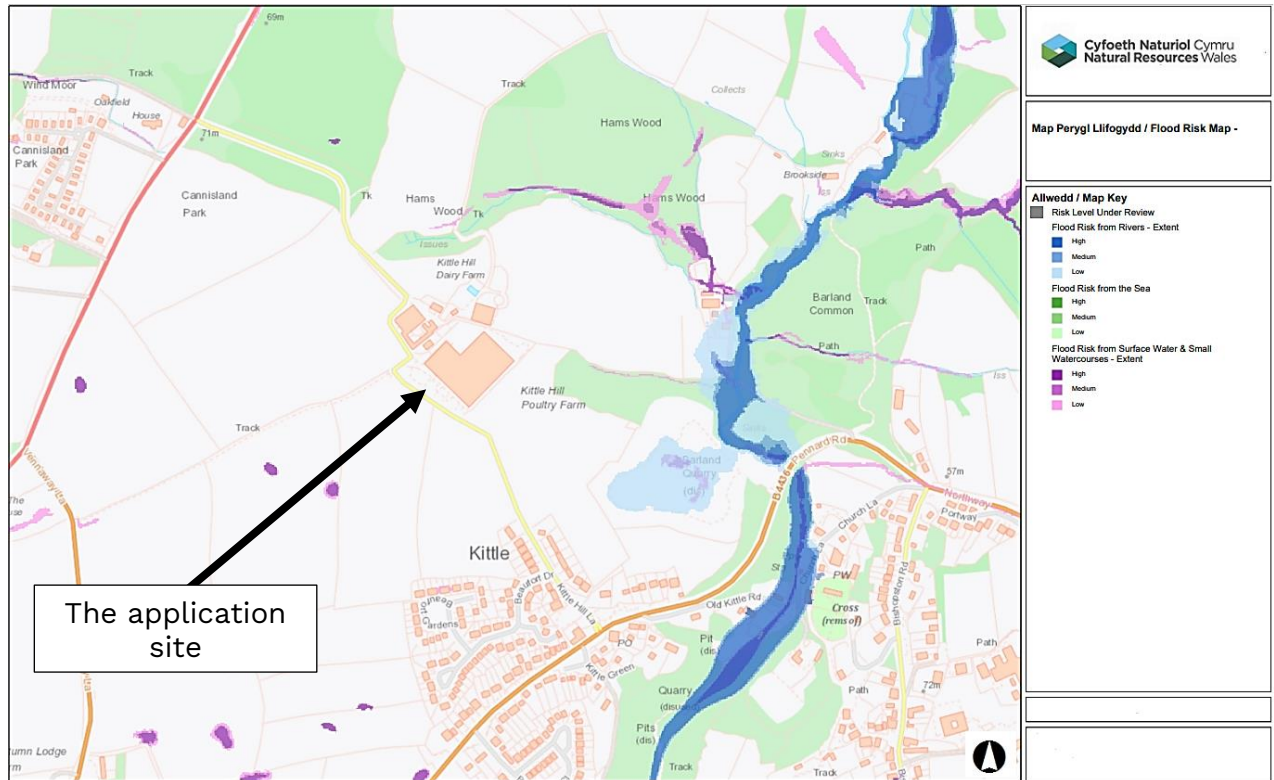
9.17 Farm diversification projects are covered by policy CV 5 if the Local Plan. Kittle Poultry Farm operates from three poultry sheds and one packhouse, along with associated hardstanding. The applicant owns no agricultural land beyond this. It is acknowledged that the proposed commercial use is not usually a diversification of an existing farm enterprise, as the existing farm operation would cease to make way for the new proposed use. However, in this specific case, as market and legislative changes will prohibit the current use of the buildings in the short-term they are becoming surplus to requirement, and the agricultural options available to the site are limited. The proposal seeks to re-use an existing resource in the form of the buildings already at the site, the proposed change of use would not generate significant noise or disturbance in the rural area or require extensive external alterations to the building that may erode the rural character of the surroundings. The scale and location of the buildings prevent their use for large scale B2 or B8 uses, vehicle movements would therefore be of comparable or reduced levels in comparison to the current agricultural use. The proposed allows for the provision of jobs in this rural area which would mitigate the harm of the jobs having to be lost from the closure of the egg production facility.

## 10.0 Drainage and Flood Risk

- 10.1 The buildings benefit from existing foul and surface water infrastructure drainage which the proposed use will make use of.
- 10.2 The application site is in flood zone A and is therefore at a low risk of flooding.
- 10.3 This application is supported by a Flood Risk Assessment.



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## 11.0 Conclusions

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- 6.1 In conclusion, the application seeks to change the use of five agricultural buildings and associated hardstanding to B2 (General Industrial) and B8 (Storage and Distribution).
- 6.2 The proposal is of a moderate-scale which would not generate unacceptable levels of traffic and includes sufficient parking and manoeuvring space. It is therefore considered that the development is acceptable and would not be of detriment to the rural character of the area.
- 6.3 The proposal supports the long-term employment generating capability of the site utilising existing buildings and infrastructure. The principle of this type of proposal is clearly supported by PPW and Swansea's Local Development Plan, along with other relevant policy and guidance.
- 6.4 The development would not give rise to unacceptably adverse impacts on the environment, local amenities, or other interests of acknowledged importance. PPW states that the planning system should enable development which contributes to long term economic well-being, making the best use of existing infrastructure and planning for new supporting infrastructure and services. The proposal clearly supports this core objective and should be approved without delay.

