



Area Planning Committee (South and West)

Date Thursday 20 October 2016
Time 2.00 pm
Venue Council Chamber, Council Offices, Spennymoor

Business

Part A

6. Revocation, Modification and Discontinuance Orders, Mill House Farm, Windmill (Pages 1 - 2)

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
12 October 2016

To: The Members of the Area Planning Committee (South and West)

Councillor H Nicholson (Chairman)
Councillor M Dixon (Vice-Chairman)

Councillors B Armstrong, D Bell, H Bennett, D Boyes, J Clare,
K Davidson, E Huntington, C Kay, S Morrison, A Patterson,
G Richardson, L Taylor, C Wilson and S Zair

Contact: Kirsty Gray

Tel: 03000 269705

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20 OCTOBER 2016



**REVOCATION, MODIFICATION AND DISCONTINUANCE ORDERS
MILL HOUSE FARM, WINDMILL**

UPDATE REPORT

Electoral Division: Evenwood

Case Officer: Stephen Reed, Planning Development Manager
03000 263870, stephen.reed@durham.gov.uk

- 1 The purpose of this report is to update Members on further correspondence received since the publication of the principal report, and to give the officers' response including where necessary to address any changes to the officers' recommendation as a result.
- 2 Correspondence was received from **Alison Bradford** on 17 October asking the Council to apologise to her and immediately to withdraw the report as it contained an inaccurate written, false and seriously damaging claim about her which was abhorrent. Paragraph 15 of the principal report states that the 2 parish council letters "were forged by one of the complainants, who has since been convicted on 2 counts of using a false instrument with intent to deceive". Essentially there are 2 separate offences: one of forgery itself, i.e. 'making' a false instrument; and a kindred offence of 'using' a false instrument, i.e. a document that one knows or believes to be false. Ms. Bradford states that she was the person convicted of 'using a false instrument' but that she did not forge any documents. She was not charged with forgery, tried for forgery, nor convicted of forgery.
- 3 We are happy to make this clear.
- 4 Correspondence was received from **Janet Sewell** (whether on BJS Farms' or her own behalf is not made clear) on 18 October, also asking the Council to withdraw the report, which she described as seriously and grossly deficient, and immediately to remove it from the agenda.
- 5 She states that information relied on in the report is out of date and so unreliable. She states that the said (out of date) information states that the farm is actively seeking additional land to support the livestock farming activity of the business, but that the committee were not being made aware of what

progress had been made. Mrs. Sewell contends that the officers' report does not conclude on the ability to increase livestock levels by creating extensive outdoor feeding areas. It is the intention to house all 175 head of cattle at the farm this winter. The farming activity is now said to be of a more traditional nature. When the 30 calves are weaned at the end of November a considerable amount of noise will be heard over a sustained period of time. The ground conditions at the farm mean that it is necessary to house the herd as early as August.

- 6 Officers see no good reason to depart from the current recommendation. A 'winter housing' condition was imposed on the permission for the third barn (albeit in terms that were criticised by the LGO) with no objection from the farmer, and the ground conditions at the site are also likely to be dealt with by single farm payment eligibility and cross compliance requirements. The proposal to house 175 head of cattle in 2 barns of circa 500 sq m floor space over the winter appears to be particularly dense but, as mentioned in the principal report, if the cattle are distressed (and so noisy) as a result then animal welfare agencies can expect to be engaged. No progress update on the past intention to acquire additional land has been given by the farmer and therefore cannot be reported to the committee.

Contact: Laura Renaudon 03000 269886 or Stephen Reed 03000 263870

BACKGROUND PAPERS

Further consultation responses received