

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 31/07/2018</b>	<b>Item No: 5.1</b>
<b>Report Originator</b>	<b>Gavin Ferries Senior Development Officer</b>	<b>Application No: KET/2017/0672</b>
<b>Wards Affected</b>	<b>Queen Eleanor and Buccleuch</b>	
<b>Location</b>	<b>A510 (land west of), Cranford</b>	
<b>Proposal</b>	<b>Full Application: Erection of pig rearing and finishing unit</b>	
<b>Applicant</b>	<b>Mr A Robinson Cranford Power</b>	

### 1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### 2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. Before development commences the applicant shall submit information to the Local Planning Authority to demonstrate that there will no more than 900 places for production pigs over 30kg at any one time within the building hereby approved, or 1800 as a cumulative total including within any other building within the area of the applicant's control identified in blue shown within the approved Location Plan IP/CP/01 received 30/08/17. Written records of the number of pigs within any buildings shall be kept for a 12month period and shall be made available for inspection by the Local Planning Authority within 1 week of any request. Once approved, the applicant shall not increase the capacity of the development without prior written approval from the Local Planning Authority.

REASON: In order to define the permission.

3. The pig housing shall utilise manure and straw only and not use a slurry system unless prior written approval has been given by the Local Planning Authority.

REASON: In order to define the permission.

4. Before development commences the applicant shall submit an odour management plan to the Local Planning Authority for approval that states how the odour from the development will be controlled to prevent an adverse impact on the

amenity of the local community in line with the ethos of the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy. Any approved measures required to reduce this impact shall be carried out in full before the first use of the development and thereafter as required for the extent that the activity is in operation.

REASON: In the interests of amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

5. If odour complaints are received by Kettering Borough Council the applicant shall undertake a full investigation of the cause of the odour as soon as is practicable (no later than 2 weeks of being notified of the complaints by Kettering Borough Council) and submit details to reduce/prevent the odour including a timeframe for the implementation of the measures for the written approval of the Local Planning Authority within 2 weeks of the investigation and shall undertake the identified work in accordance with the approved details.

REASON: In the interests of amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

6. No development shall commence until a scheme to install the underground tank has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tank, tank surround, any associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the approved details or any changes as may be subsequently agreed, in writing by the Local Planning Authority.

REASON: In order to protect the quality of controlled waters in the local area in accordance with Chapter 11 of the National Planning Policy Framework and Policy 5 of the North Northamptonshire Joint Core Strategy.

7. Prior to the commencement of development, a scheme for surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the building by any pigs and thereafter maintained as approved. Infiltration should only be used where it can be demonstrated that they will not pose a risk to ground water quality.

REASON: To protect the quality of controlled waters in the local area in accordance with Chapter 11 of the National Planning Policy Framework and Policy 5 of the North Northamptonshire Joint Core Strategy.

8. The recommendations within the report titled Preliminary Ecological Appraisal Land West of the A510, Kettering, Northamptonshire, NN9 5HW for Cranford Power (June 2017) (contract number 130) received 18 August 2017 shall be carried out prior to the first occupation of any building by a pig.

REASON: In the interests of biodiversity and ecology in accordance with policy 4 of the North Northamptonshire Joint Core Strategy.

9. Prior to the commencement of the construction of the building hereby permitted vehicular visibility splays of 2.4m from the carriageway edge along the centre of the vehicular access by a distance of 215m measured from the centre of the vehicular access along the carriageway edge shall be provided. The splays shall

thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

10. Prior the commencement of construction the access shall be widened to a width of 7.3m with junction radii of a minimum of 10.5m. The access road into the site shall remain straight for 15m beyond the highway boundary (front of ditch or hedge). The access shall be surfaced with a hard bound material for the first 15m beyond the highway boundary up to this point and no gates or other enclosures shall be erected on the access within 15m of the road.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the visual amenity and rural character and in the interests of biodiversity in accordance with Policies 3 and 4 of the North Northamptonshire Joint Core Strategy and chapter 11 of the National Planning Policy Framework.

## **Officers Report for KET/2017/0672**

This application was deferred from the 8 May 2018 Committee at the request of members for additional information in regards to noise impact. This information submitted included a noise report which was subject to public consultation along with a video of a similar operational unit.

A site visit to a comparable size and nature of unit (2 buildings containing approx. 2000 pigs) was also undertaken by Development Services Officers and Environmental Protection on 11 July 2018.

The report from the previous committee is annexed to this report.

### **4.0 Re-Consultation responses**

#### **Cranford Parish Council**

Raise concerns regarding the movement of waste to applicant's fields. Request condition to prevent movement of waste through Cranford Village (as per the agent's comment at the Committee of the 8 May).

Management of waste condition requested

Concern regarding the odour report and its assumptions particularly in respect of SW wind direction.

Measures to control noise need to be improved

#### **Neighbours**

7 additional letters of objection were received following the re-consultation of the noise report. The letters raised similar concerns to those previously reported. The main points of concern are still;

Odour

Noise

Waste

Highway Safety

#### **Environmental Protection**

The visit to the comparable unit served its purpose in that it demonstrated that the facility can be operated without adversely impacting on the community in terms of noise and odour. There was minimal noise at the facility due to the automatic feeding system, and there was no noise audible at approx. 30m from the barns. There was also little odour. Given the nearest residents in the Cranford case are further away than this, they are unlikely to be adversely affected.

As the site is within a rural location, nearby residents must accept that at times there may be noise and odour. Notwithstanding the planning application, this would be taken into account if odour complaints were received regarding agricultural smells.

There is no recognised pig noise measurement standard and there is some disagreement between the two consultants about how it should be measured and assessed. The site visit demonstrated that the facility could be operated without adverse noise impact on residents. Therefore no further noise information or assessment is required.

I would still recommend conditions related to odour and pig numbers.

## **6.0 Financial/Resource Implications**

None

## **7.0 Planning Considerations**

The key issues for consideration in this report are:-

### **1. Additional information and site inspection to pig unit**

A site visit to a similar pig unit (2000 pigs within 2 buildings max 1000 per building) was undertaken by officers from Development Services and the Environmental Protection Team on 11 July 2018. The noise generated by the pigs was comparatively limited and recordings were taken by officers. The noise levels inside and outside of the unit are fairly limited and are not considered to be overly significant or harmful.

The applicant submitted a noise report by Matrix Acoustic Design Consultants which was consulted upon. There were some technical points that were subject to dispute by the objectors including one of the objectors who appointed an acoustician to comment on the report. Whilst it is noted that there were comments regarding the technical elements within the report, following the pig unit visit, it is considered that that there would not be an adverse impact of noise from the pigs on the nearest dwelling given the very limited noise emitted from the pigs within the unit. The operation would not result in adverse impact on the amenity of the nearest dwellings.

As a result of the pig unit visit and in light of the Environmental Protection Team's comments it is considered that in light of the nature of the proposal and the limited likely noise impact that it is not necessary to impose conditions in relation to noise. It is also advised that the noise conditions would be difficult to enforce or control particularly in respect of any noise created by an animal.

It is also noted from the site visit, that the operation of the unit does not generate notable smell due to the nature of division of the raised straw (bedding area) and the concrete (animal relieving area) which is cleared daily. This will be formally controlled by the odour management plan which covers these aspects.

It is noted that questions were raised regarding the storage of those materials which would be used for muck spreading outside of muck spreading times. The muck is to be stored in the fields over which the muck is to be spread over.

The site visit which was to a similar size proposal as the two applications, demonstrates that the cumulative impact is acceptable.

## **Conclusion**

The proposed development is for agricultural development on an agricultural unit. It is considered that the nearest dwelling and surrounding local community would not

be adversely affected by noise or odour.

The likely impacts are considered to be sufficiently controlled as to not result in unacceptable impacts. The application is therefore recommended for approval subject to conditions.

**Background Papers**

Title of Document:

Date:

Contact Officer:

**Previous Reports/Minutes**

Ref:

Date:

Gavin Ferries, Senior Development Officer on 01536 534316