

Application for Determination

- Parish:** Ludham
- Reference:** BA/2012/0258/FUL **Target date:** 1 November 2012
- Location:** White House Farm, Clint Street, Ludham
- Proposal:** Proposed erection of two wean-to-finish pig rearing buildings with ancillary feed bins including regrading of existing ground levels, construction of hardstandings and vehicular access to Clint Street.
- Applicant:** Mr B Tubby
- Recommendation:** Approve Subject to Conditions
- Reason for Referral to Committee:** Objections received

1 Description of Site and Proposals

- 1.1 White House Farm is located on the north west side of the A1062 at its junction with Clint Street, approximately 1km to the southwest of the main village of Ludham, between the village and Ludham Bridge. White House Farm is a mixed arable enterprise with 80ha of land, 16ha of which is arable. The farm has both dairy and beef cattle together with a flock of approximately 200 sheep.
- 1.2 The main farm yard, accommodating the existing livestock buildings and areas of hardstanding, is located on the southern side of Clint Street with the site of the proposed development being situated on the opposite side of Clint Street adjacent to the A1062. The triangular application site covers an area of 1.25ha and is currently comprised of farmyard and arable land. The eastern boundary of the site, adjoining the A1062, is defined by a mature hedgerow, Clint Street defines the southern boundary with the western boundary of the site being currently undefined. The site is situated on the northern valley side of the River Ant, with the general topography of the area sloping down from the north to the south. A public footpath runs across the farm between the A1062 and Clint Street, to the north of the site.
- 1.3 The White House Farm farmhouse is situated on the southern side of Clint Street opposite the site of the proposed development. The house known as 'The Pightle', situated further to the west along Clint Street, is also within the ownership of the farm. Lone Cottage is situated on the southern side of Clint

Street, over 160m to the west of the subject site. There are a number of residential properties to the northeast of the site situated on the northern side of the A1062 heading into Ludham village, with the closest property being West End Lodge which is approximately 230m from the subject site.

The boundary of the Broads Authority's Executive Area runs north-south along the A1062.

The site is situated within Flood Risk Zone 1 defined on the Environment Agency's Flood Risk Zone Maps.

The development site is within 2km of Broadland SPA, Ramsar, Gawdy Hall Big Wood SSSI, Ludham and Potter Heigham Marshes SSSI, NNR and approximately 1km from How Hill NNR.

The proposed development is seeking planning permission to facilitate diversification of the farms business to include a pig rearing business both to provide long term employment for the applicant, one of the farmer's sons, and to assist with the farm's future economic viability. The proposal is to rear 1,980 pigs in two buildings on a wean-to-finish cycle. Each rearing cycle lasts 20 weeks with a short period between each cycle for cleaning and disinfecting the buildings. The pigs would be transported to and from the site in livestock lorries.

The two buildings would be positioned parallel to each other and parallel to the A1062 on a northeast/southwest axis. Each building would be approximately 61m in length and 15.3m wide. The height to eaves would be approximately 3.6m with the ridge height being 5.4m. The ends of the buildings and the lower half of the side walls would be olive green cladding. White side curtains would be installed on the upper areas of the buildings sides, which could be raised or lowered to regulate the operating temperature inside each of the buildings. The roofs of both buildings would be cement fibre sheets maintained in their natural grey colour and allowed to weather over time to a darker grey. At the southern end of each of the buildings there would be a feed bin constructed of pale green coloured fibre glass with a maximum height of approximately 6.3m.

The buildings would be divided into pens on either side of a raised central walkway with dunging areas down either side of the building. The solid farm yard manure would be pushed out of the buildings on a daily basis onto an area of hardstanding at the northern end of the buildings, from where it would be moved at regular intervals, using a tractor and trailer, to field stores on local farms at Catfield and Horning prior to being spread on the land.

The land between the two buildings and at the southern end of the site would be hardstanding to provide access and turning for lorries delivering and collecting pigs and delivering feed. Access into the site would be via a new access point onto Clint Street constructed approximately 62m from its junction with the A1062.

Dirty water from the site would be drained to a sealed underground tank located under the hardstanding at the northeast end of the buildings. This tank would be emptied as necessary and the contents spread on the land within the agricultural holding. Clean roof water would be fed via down pipes directly into soakaways.

It is proposed to cut the site into the valley side so that the buildings sit at 2.5m below current ground levels. The excavated material would be placed to the north and west of the buildings to create embankments to enclose the unit. Instead of forming bunds the material would be graded gently back into the existing contours. The ridgelines of the sheds would reach roughly the same level as the roadside hedge, and the feed silos would protrude approximately 0.8m above the existing hedge top. A substantial new planting scheme would also form part of the development.

2 Site History

In 1991 outline planning consent was granted subject to conditions for the erection of a two storey farmhouse on the site of the existing, derelict farmhouse (BA/1990/2810/HISTAP).

Also in 1991 consent was granted for reserved matters for the erection of the two storey farmhouse (BA/1991/2722/HISTAP).

An application for alterations to an existing cattle yard to form a new covering to improve livestock welfare was submitted and withdrawn in 2011 (BA/2011/0195/AGR).

3 Consultation

Environmental Health, North Norfolk District Council - There have been extensive discussions on a number of occasions with the Environmental Health Officers. The following comments are the concluding comments:

14 February 2013

I have undertaken a site visit to the proposed site in Ludham and a pig unit in Moulton-St-Mary which is operated in the same manner as the proposal.

Further to my previous comments, I have no objections to the application and do not require an odour assessment, provided the following conditions are attached to the permission:

- (1) The odour and noise management plans submitted to the Planning Authority (Odour Risk Assessment Document Ref. 2600-1549-A, dated 5/12/2012 and Noise Management Plan received 1 October 2012) shall be implemented and adhered to, complaints shall be responded to and the plans will be reviewed and revised as necessary to improve odour and noise control.

- (2) At the request of the Local Planning Authority (LPA) following a justified odour complaint the Pig Unit operator shall, at its expense, employ a suitably qualified consultant approved by the LPA, to undertake an appropriate odour assessment of the odour emissions from the pig unit following the procedures agreed by the LPA. A report of the assessment shall be provided in writing to the LPA within 21 days of the request under this condition unless this period is extended by the LPA in writing. If the findings of this report identify that the pig unit is causing odour levels considered to be of a detriment to the amenity of the nearby residential properties, a scheme shall be included in the report detailing remedial works, and these works shall be implemented in full and retained for the lifetime of the development.
- (3) No extractor or ventilation system shall be installed at the premises subject to this planning permission, unless a scheme for noise and odour control has first been submitted to an approved in writing by the Local Planning Authority. The system shall be installed and thereafter maintained in full accordance with the approved details for the lifetime of the development.

The reasons for this decision are as follows:

- The current site in Ludham houses cattle and sheep. It is intrinsically a livestock farm with quantities of manure onsite. Historically, no odour complaints have been received about the farm.
- The proposed housing and management of the pigs appears to be of high standard with manure being managed to prevent potential odour issues. The most common cause of odour issues comes down to bad management. The above conditions will ensure that the applicant signs up to good management practices and if any issues are reported, will respond and make changes / improvements to the management systems to prevent odour nuisance.
- On visit to the farm in Moulton-St-Mary the odour within the pig units was minimal. The animals were at 17 weeks, which meant they were at the larger size before being sent for slaughter during the 20 week cycle. The odour from the animals will be less when they are bought in as small piglets. The local authority has reported that it has not received any complaints about this unit. The amount of muck generated on the site during six days was less than that currently stored on the site in Ludham.
- The odour impact assessment prediction would be difficult due to the changing size of the pigs and quantity of manure produced, it would likely have to make numerous assumptions in making the predication, therefore it would not be able to say beyond all reasonable doubt. The applicant has contacted us regarding the excessive cost of the odour impact assessment and explained that undertaking the assessment will mean that the project will fail and the family farming business will be in financial difficulty. The Councils position is to support small rural businesses and their diversification for survival, whilst protecting the local residents. Having reviewed other pig units across the district, it has been found that odour impact assessments have not been required for units a similar distance

from residential property. Further to this, complaints are not received and no statutory nuisance has been found to be arising from these units. Having undertaken this review, it is felt unfair and onerous to require and odour assessment in this case.

- Further to this, when deciding a permit application the Environment Agency would only require submission of an odour management plan.
- Should the farm be found to create an odour, which is assessed by an officer of the Council as a Statutory Nuisance, action can be taken under the Environmental Protection Act 1990 to abate the nuisance.

12 March 2013

I write further to the recent emails received from local residents in relation to the above proposal, including the odour assessment report produced by Mr Pope.

These submissions do not give us grounds to amend our previous comments. We have some concerns about the information, the documents used and their interpretation within the report but have not scrutinised it in detail. The report has not been undertaken by a suitably qualified consultant, as such, this information does not change our position and we do not feel we have justification to require the applicant to commission such an assessment prior to determining the application.

However, should the local residents be given the opportunity by the Broads Authority to commission a suitably qualified consultant to undertake an appropriate odour assessment of the odour emissions, we would have no objection to this action and would reassess the situation after evaluating such a report.

In relation to surface water management, having seen comments from the Environment Agency, recent local concerns which have been raised with this department and the fact that the unit will be constructed at a lower ground level than currently onsite, we recommend that you seek assurance from the applicant that the surface water disposal scheme is suitable for purpose e.g. through porosity testing.

Highways - There was concern that in order to provide the required visibility splays a section of mature hedge to the north of the access may need to be removed and require replanting. However, following recent hedge trimming works by the applicant, the Highway Authority is satisfied that, subject to regular maintenance as identified in the accompanying Planning/Design and Access Statement, the required visibility splay can be achieved without any loss to the mature hedge.

Whilst there will be an increase in vehicle movements from the site, with some deliveries being clustered over a short period of time, in the overall context of the development it is unlikely that there will be a significant detrimental impact on the highway network. The site has direct access onto a principal route network and as stated above appropriate visibility to and from this access can be achieved.

Accordingly, in highway terms only I have no objection the proposals subject to the imposition of conditions and informatives on any grant of permission your Authority is minded to grant relating to: the provision and formation of a vehicular access; creation and retention of visibility splays; formation of onsite loading/servicing areas; provision for onsite parking during construction; provision of wheel washing facilities during construction.

Natural England - Natural England is satisfied that the proposed development will not increase the level of Corvid or gull activity in the vicinity of Ludham NNR or any of the other nearby designated sites.

If the quantity of pigs remains just under the threshold requiring an Environment Agency Environmental Permit for Intensive Farming the development should be given the same consideration by the Local Authority as one over the threshold due to its comparative size.

The proposed usage of the two buildings has potential to lead to an increase in air pollution to the surrounding environment and nearby Local Wildlife Sites. However Natural England does not object to the proposal on these grounds as they consider the European and nationally designated sites to be suitably far away to avoid adverse impacts. The Local Authority may wish to seek further information on this matter in relation to any local wildlife sites in the vicinity.

Natural England is satisfied that the protected species have been given appropriate consideration in the Ecology Report. Providing all mitigation is carried out in accordance with this report, Natural England has no issues to raise regarding protected or BAP species.

Environment Agency - The applicant must ensure the containment for 'dirty water' complies with the requirements of the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 (SSAFO). These regulations set out requirements for the design, construction and maintenance of new, substantially reconstructed or substantially enlarged facilities for storing silage, slurry and agricultural fuel oil. Storage facilities should be sited at least 10 metres from inland freshwater or coastal water and have a 20-year life expectancy. For the purposes of SSAFO, dirty water is defined as 'slurry'.

Under the requirements of the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 (SSAFO), the applicant must notify us at least 14 days before the containment for 'dirty water' is first used.

Surface water management - The application form states that the site is 1.25 hectares. However, the proposed buildings are 1858 sq metres in size. As the area of proposed hardstanding is significantly less than 1 hectare in size we advise that it is the responsibility of your Authority to consider the surface water management of the site. We recommend that you seek assurance from

the applicant that the surface water will be managed in accordance with the requirements provided in our Flood Risk Standing Advice. We also recommend that consultation takes place with your building control department.

Ludham Parish Council - The Parish Council supports this application with various conditions as follows:

In order to minimise light pollution, Ludham Parish Council recommends that any outdoor lights associated with this proposed development should be:

- fully shielded (enclosed in full glass cut-off fitments)
- directed downwards (mounted horizontally to the ground and not tilted upwards)
- switched on only when needed (no dusk to dawn lamps)
- white light low energy lamps (Philips Cosmopolis or fluorescent) and not orange or pink sodium sources

In addition, the Council requested that the Broads Authority research the possibility of not moving pigs during anti-social hours. It was brought to the Council's attention that pigs are sometimes removed from farms in the middle of the night. The noise from this could be disruptive to neighbouring dwellings. This is not something that the Council has researched fully, possibly pigs must always be moved in the night due to heat within lorries during the day time. The Council trusts that the Broads Authority will look into this.

The Parish Council trusts that, should the Broads Authority approve this application, they would rigorously check that stipulations are adhered to.

Broads Society - We have assessed the application using the normal list of planning criteria we use for deciding our response on planning submissions. On this basis, the Society has no objections.

However, it is evident that the proposed development will have a considerable impact on local residents, particularly in terms of odours and increased traffic movements. We therefore urge the Authority to give very careful consideration to concerns expressed by those who will be directly affected by the proposals.

4 Representations

4.1 A total of 19 representations on this application have been received, six in support of the application and 13 against the proposal.

4.2 The representations supporting the proposal state that it is important to support local enterprise and smaller local farms and to support the diversification of their farming activities to ensure their continued survival. They also state that the animals currently on the farm are well looked after and that they have every confidence that the pigs would be well cared for.

They also accept that the proposed development may generate a certain degree of smell but that this would not be unacceptable in a rural location.

4.3 The representations received opposing the development are predominantly concerned with the level of odour that may be generated by the proposed development and the unacceptable effect this would have on the residential amenity of properties in the vicinity of the site. They are also concerned at the effect this odour would have on tourist activities and other businesses in the area. Concern has also been raised about the airborne pollution that may be generated by the development and the effect this will have on human health and on the wider Broads environment. The other reasons to object to the scheme that have been identified in the representations can be summarised as follows:

- Unacceptable level of noise generated by pigs being kept in a confined space
- Light pollution arising from the external lighting of the buildings
- Contrary to planning policy
- Mud being carried onto the road from the farm and also muck falling off the trailers onto the road when being transported to nearby farms, both of which would cause a traffic hazard
- Additional lorries using the highway network
- Proximity to houses
- Dirty water from the pig unit contaminating the water courses within the Broads ecosystem
- Disproportionate scale of buildings and the negative visual effect this will have on the landscape of the Broads
- Archaeological value of site will be compromised
- Pigs should be kept outside and not in buildings.

5 Policies

5.1 Adopted Development Management Policies (2011) DPD
[DMP DPD - Adoption version.pdf](#)

DP1 Natural Environment
DP2 Landscape and Trees
DP3 Water Quality and Resources
DP4 Design
DP5 Historic Environment
DP11 Access on Land
DP19 Employment Diversification
DP28 Amenity

5.2 Broads Core Strategy adopted September 2007
[Core Strategy \(Adopted Sept 2007\).pdf](#)

CS1 – Landscape Protection and Enhancement
CS2 – Nature Conservation
CS4 – Creation of new Resources

CS6 – Historic and Cultural Environments
CS7 – Environmental Protection
CS18 – Rural Sustainability
CS22 – Economy

5.3 Material Considerations

National Planning Policy Framework

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

6 Assessment

6.1 In terms of assessment of this proposal the main issues that must be considered are the principle of the development, design, effect on the landscape, ecology, highways and residential amenity.

6.2 Principle of development

6.2.1 The site of the proposed development forms part of a working livestock and arable farm. The application states that in order to ensure the long term financial viability of the farm and to provide a future income for a member of the farmer's family it is necessary to look at diversifying the farming business activity. The applicant considers that the wean-to-finish pig rearing business is an activity which would be complementary to the existing farming business.

6.2.2 Paragraph 28 of the National Planning Policy Framework states that economic growth in rural areas should be supported to create jobs and prosperity. It states that planning policies should promote the development and diversification of agricultural and other land-based rural businesses. Policy CS22 of the Core Strategy and Policy DP19 of the Development Management Policies DPD accord with this stated objective. Policy DP19 states in Criterion (a) that proposals for farm diversification will be permitted where the development is complementary in scale and kind to the main farm operation and site area and the agricultural operations are not prejudiced. Criterion (c) states that the proposed uses must not have an unacceptable impact on the local transport network and Criterion (d) states that proposals must be in accordance with the Core Strategy and other policies of the Development Plan.

6.2.3 The rearing of pigs on this site is considered to be an appropriate activity in this location. It is a rural business and the rearing of pigs on an established livestock farm is considered appropriate. The area of the farm to be taken up by the required buildings and associated areas of hardstanding is only 1.25ha of an 80ha farm. Part of the site is currently used to store rubble and is not in agricultural production. Furthermore the location of the proposed site is adjacent to the A1062 at the edge of the farm and can be accessed directly from the highway network without crossing the farm. It is therefore considered that the proposed development will not compromise the main farm operation and is complementary in scale and kind to the established farm business at White House Farm. The proposal is therefore in accordance with

Criteria (a) and (c) of Policy DP19 of the Development Management Policies DPD. The following paragraphs assess whether or not the proposed pig rearing activity is in accordance with the other relevant Development Plan Policies and therefore whether the principle of this development is acceptable.

6.3 Design

6.3.1 The detailed design and scale of the proposed buildings are dictated by the nature of their proposed use and specific operational requirements. They are buildings designed to accommodate livestock and will be situated on a livestock farm. Their design is therefore considered to be appropriate. The materials to be used in the buildings are appropriate for their use and serve a functional purpose. The side curtains are required to ensure that the operating temperature within the buildings can be regulated to comply with European regulations. The proposed colour scheme of olive green cladding and natural grey cement fibre sheets is considered to complement the rural location of the proposed development. The overall layout of the site with the feed silos at the end of each of the buildings and the layout of the associated areas of hardstanding is based on the functional requirements of the business. It is therefore concluded that this aspect of the proposed development is acceptable and is in accordance with Policy DP4 of the Development Management Policies DPD.

6.4 Landscape

6.4.1 Paragraph 115 of the National Planning Policy Framework states that great weight should be given to conserving landscape and scenic beauty in the Broads and that in determining development proposals within this area consideration should be given to any detrimental effect a proposal may have on the landscape and the extent to which that could be moderated. Policy CS1 of the Core Strategy and Policy DP2 of the Development Management Policies DPD state that development may be permitted where it would not have a detrimental effect on the landscape. The introduction of buildings of the proposed scale and design into the Broads landscape has the potential to have an unacceptable adverse impact on the landscape quality of the Broads. However in this case the potential adverse impact on the landscape has been moderated to such an extent that there is no objection to this proposal in landscape terms.

6.4.2 The buildings are to be dug into the valley side and the excavated material used to create gently contoured embankments to help screen the buildings from view. By lowering the site level and siting the buildings at 2.5m below the surrounding ground level the overall mass and scale of the buildings in the landscape will be significantly diminished. The ridge heights of the buildings will not protrude above the top of the hedgerow running along the eastern boundary of the site and the roofs of the buildings will therefore be viewed against the backdrop of an established, mature hedge. The chosen colour scheme for the buildings will also help in the assimilation of the buildings into the landscape. The submitted proposal incorporates a landscaping scheme for the site which includes substantial areas of landscaping using native

species and the establishment of a significant length of native hedging. This substantive landscape scheme together with the proposed ground modelling scheme means that the proposed pig rearing buildings will not have a significant impact on the landscape of this area of the Broads. The proposal is therefore considered to be in accordance with both the National Planning Policy Framework and Policy CS1 of the Core Strategy and Policy DP2 of the Development Management Policies DPD.

6.5 Ecology

- 6.5.1 Paragraph 118 of the National Planning Policy Framework states that when determining planning applications local planning authorities should aim to conserve and enhance biodiversity. Policy CS2 of the Core Strategy and Policy DP1 of the Development Management Policies DPD require all development proposals to ensure that they do not have any adverse effect on the ecological value of the Broads.
- 6.5.2 The application has been supported by an Ecological Survey which confirms that the site itself is of low ecological value and it is unlikely that any protected species will be affected to any significant degree by the proposed development. The main ecological features on the site are the mature roadside hedge which provides habitat for breeding birds, the open arable field which provides habitat for farmland birds and the adjacent pond. The subject site is within 2km of Broadland SPA, Ramsar; Gawdy Hall Big Wood SSSI; Ludham and Potter Heigham Marshes SSSI, NNR and approximately 1km from How Hill NNR.
- 6.5.3 This scheme has been designed to ensure that no contamination of the nearby pond or the watercourses running into the Broads waterways occurs by ensuring that all the dirty water from the site drains into a specially constructed tank before being spread onto the agricultural land. Concerns have been raised in submissions received that the proposed disposal of clean surface water via soakaways will result in an issue of flooding on the site given that the pig rearing unit will be constructed at a lower level than currently on site and that the surrounding ground conditions may not be suitable for surface water soakaways. The Environmental Health Officers are concerned that if surface water flooding does occur this could result in this clean water being contaminated by material such as manure lying on the site and becoming dirty water and then flooding over the site causing pollution in the adjacent watercourses and in the surrounding area. The applicant has therefore been asked to provide a suitable surface water disposal scheme for the site, the design of which must be supported by evidence such as thorough porosity testing by a suitably qualified person to demonstrate that it will be fit for purpose. If the applicant is unable to supply this information prior to the consideration of this application at Committee it is recommended that a pre-commencement condition be included on any planning consent that is granted requiring submission and approval of a suitable scheme.
- 6.5.4 Natural England has been consulted on the application and they confirm that whilst the proposed usage of the two buildings has the potential to lead to an

increase in air pollution to the nearby wildlife sites they do not object to the proposed development as they consider the European and nationally designated sites listed above to be suitably far away to avoid adverse impacts.

6.5.5 The proposed landscaping scheme for the site includes the establishment of a significant length of additional native hedgerow around the edges of the site and also the planting of a significant number of native trees and shrubs. This additional planting will help to enhance the ecological value of the site. It is also recommended that bat and bird nesting boxes are added to the new buildings and any suitable trees around the site. It is also important to ensure that any work that is carried out on the existing mature roadside hedge is carried out outside the bird breeding season. Given the high biodiversity value of the How Hill NNR and the Ant valley it is also important to ensure that any external lighting on the buildings or the site itself is designed and erected to ensure that there is no light pollution that will have an adverse effect on bats or other species sensitive to artificial light. All these aspects of the scheme can be assured with the imposition of relevant conditions on any consent that is granted.

6.5.6 It is therefore concluded that this scheme, with the imposition of the recommended conditions, will not have an adverse effect on the ecological value of the Broads and it is therefore in accordance with the National Planning Policy Framework, Policy CS2 of the Core Strategy and Policy DP1 of the Development Management Policies DPD.

6.6 Highways

6.6.1 The proposed development is based on a 20 week wean-to-finish cycle of 1,980 pigs. The application states within each 20 week cycle the traffic movements would break down roughly as follows:

Delivery of piglets:	2 lorries
Delivery of feed:	18 lorries
Collection of finished stock over 4 to 5 week period:	10 lorries
Removal of farmyard manure:	54 tractor and trailer loads per batch
Dirty water to be spread on farm:	14 tanker loads maximum
Straw delivered once a year over 2 week period:	57 tractor and trailer loads

6.6.2 A new access into the site is to be created off Clint Street and an area of hardstanding is to be created on the site to enable lorries to manoeuvre on the site so that they can leave in a forwards direction.

6.6.3 A number of objections to the proposal have been received on the basis that the additional traffic generated by the development will have an adverse effect on the functioning of the surrounding road network and will also result in mud

and muck being carried/deposited on the roads which will compromise traffic safety.

6.6.4 The Highway Authority has been consulted on this application and has confirmed that, based on the traffic movement figures set out above, there is no objection to this proposal on highway grounds provided various conditions are imposed relating to the construction of the site access and associated visibility splays and the provision of on-site parking and wheel washing facilities during the construction phase of the development. The Highway Authority considers that whilst wheel washing facilities are required during construction, the facility will have concrete aprons around the buildings which should mean that the facility will be easy to clean/wash down and due to the nature of the facilities operations the discharge of slurry etc from the facility onto the highway should be very minimal. Furthermore there is existing legislation and obligations on the farmer/landowner to ensure that the road is kept free from mud and manure.

6.6.5 It is therefore concluded that with the imposition of the recommended conditions the proposal will not compromise the functioning and safety of the surrounding road network and is therefore in accordance with Policy DP11 of the Development Management Policies DPD.

6.7 Residential Amenity

6.7.1 The site of the proposed development forms part of an operating livestock farm situated in the open countryside on the edge of the village of Ludham. The residential properties closest to the subject site are Lone Cottage on Clint Street, some 160m from the subject site, and West End Lodge, some 230m to the northeast of the site along the A1062.

6.7.2 Given the location of the development there will be no issue of over dominance of the buildings on any residential properties. However all of the submissions received in opposition to the proposed development cite noise generated by the pigs being kept in confined spaces and odour and the effect this will have on the enjoyment of their residential properties as reasons for objecting to the scheme.

6.7.3 Following receipt of these objections the applicant submitted a Noise Management Plan and an Odour Management Plan for the development. These documents and the development proposal in its entirety have been thoroughly reviewed by the Environmental Health Officers at North Norfolk District Council to determine whether or not the proposal would have a detrimental effect on the residential amenity of the residential properties in the vicinity of the site. Consideration was given as to whether it was necessary for a full Odour Impact Assessment for the development to be obtained from the applicant. However following extensive research and a site visit to a similar pig rearing unit nearby the Environment Health Officers concluded that it was not necessary for an Odour Impact Assessment to be provided at this stage. The imposition of conditions requiring compliance with the Noise Management Plan and the Odour Management Plan, and the production of an Odour

Impact Assessment, if a complaint is received, were considered to be sufficient. The Environmental Health Officers are satisfied that if the pig rearing unit is managed in accordance with the relevant regulations that no odour nuisance will be generated. However, should the farm be found to create an odour, which is assessed by the Environmental Health Officer as a Statutory Nuisance, action can be taken under the Environmental Protection Act 1990 to abate the nuisance.

6.7.4 As a result of the decision by the Environmental Health Officers not to require the submission of an Odour Impact Assessment, one of the local residents prepared their own Odour Report on the proposed development, which they submitted for consideration. This report, although not scrutinised in detail by the Environmental Health Officers, was reviewed by them and they concluded that its content did not change their position on whether or not to require the preparation of a full Odour Impact Assessment.

6.7.5 Therefore, whilst the strength of opposition to the proposed development on the basis of odour and its possible effect on residential properties is acknowledged, it is considered, based on the expert advice provided by North Norfolk District Council's Environmental Health Officers, that, subject to the imposition of the recommended conditions, this proposal will not have an adverse effect on the residential amenity of surrounding properties and that it is in accordance with Policy DP28 of the Development Management Policies DPD.

6.8 Archaeology

6.8.1 One of the letters of opposition to the proposed development states that an archaeological survey of the site should have been submitted with the application. However having consulted the Historic Environment Service it has been confirmed that there are no significant archaeological implications associated with this development. Therefore an archaeological survey is not required.

7 **Conclusion**

7.1 National guidance and local planning policies encourage the diversification of rural/farming businesses where necessary to ensure the future financial viability of the business and where the proposed activity is complimentary to the existing business. Whilst the establishment of a large scale pig rearing business on this site satisfies these tests there is the potential for a development of this nature within the Broads Executive Area to have adverse impacts on the landscape and ecology of the Broads and on the residential amenity of properties within the vicinity of the site. However in this case it is concluded that this proposal, if controlled by appropriate conditions, can satisfactorily mitigate any of the possible adverse effects and that it is therefore acceptable and in accordance with relevant Development Plan policies.

8 Recommendation

8.1 Approve subject to the following conditions:

1. Standard time limit.
2. In accordance with approved plans.
3. Approval of materials prior to commencement.
4. Approval of colour scheme prior to commencement.
5. Submission and approval of details of dirty water disposal system prior to commencement.
6. Submission and approval of disinfectant to be used.
7. Submission and approval of surface water drainage system prior to commencement.
8. No deliveries or collections between the hours of 23:00 and 07:00
9. Creation of vehicular site access off Clint Street.
10. Any access gates, bollards, chains or other obstructions shall be hung inwards and set back from the road.
11. Creation of visibility splays at junction between Clint Street and A1062.
12. Creation of visibility splays at site access on Clint Street.
13. Formation of onsite servicing, loading and turning areas.
14. Onsite parking for construction workers.
15. Installation of wheel cleaning facility during construction.
16. Use of wheel cleaning facility during construction.
17. Completion of landscape planting in accordance with approved plan.
18. Replacement of plants that die within 5 years of being planted.
19. Protection of hedgerow during construction.
20. Prevention of work to the hedgerow between end of February and early September (inclusive).
21. Submission and approval of a lighting plan prior to commencement.
22. Erection of bat and bird boxes.
23. The odour and noise management plans submitted to the Planning Authority (Odour Risk Assessment Document Ref. 2600-1549-A, dated 5/12/2012 and Noise Management Plan received 1 October 2012) shall be implemented and adhered to, complaints shall be responded to and the plans will be reviewed and revised as necessary to improve odour and noise control.
24. At the request of the Local Planning Authority (LPA) following a justified odour complaint the Pig Unit operator shall, at its expense, employ a suitably qualified consultant approved by the LPA, to undertake an appropriate odour assessment of the odour emissions from the pig unit following the procedures agreed by the LPA. A report of the assessment shall be provided in writing to the LPA within 21 days of the request under this condition unless this period is extended by the LPA in writing. If the findings of this report identify that the pig unit is causing odour levels considered to be of a detriment to the amenity of the nearby residential properties, a scheme shall be included in the report detailing remedial works, and these works shall be implemented in full and retained for the lifetime of the development.
25. No extractor or ventilation system shall be installed at the premises subject to this planning permission, unless a scheme for noise and

odour control has first been submitted to an approved in writing by the Local Planning Authority. The system shall be installed and thereafter maintained in full accordance with the approved details for the lifetime of the development.

9 Reason for recommendation

- 9.1 The proposed development is considered to be fully in accordance with the National Planning Policy Framework and Development Plan Policies in particular Policies CS1 – Landscape Protection and Enhancement, CS2 – Nature Conservation, CS4 – Creation of new Resources, CS6 – Historic and Cultural Environments, CS7 – Environmental Protection, CS18 – Rural Sustainability and CS22 – Economy of the Broads Core Strategy adopted September 2007 and Policies DP1 Natural Environment, DP2 Landscape and Trees, DP3 Water Quality and Resources, DP4 Design, DP5 Historic Environment, DP11 Access on Land, DP19 Employment Diversification and DP28 Amenity of the Development Management Policies DPD adopted November 2011.

Background papers: Application File BA/2012/0258/FUL

Author: Alison Macnab
Date of Report: 13 March 2013

List of Appendices: Appendix 1 Location Plan

APPENDIX 1

BA/2012/0258/FUL - White House Farm, Clint Street, Ludham
Proposed erection of two wean-to-finish pig rearing building

