

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 July 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and New Communities)

S/1366/09/F - GAMLINGAY

Land off Station Road, and to the East of Merton Grange for Mr I Quince

Recommendation: Approval

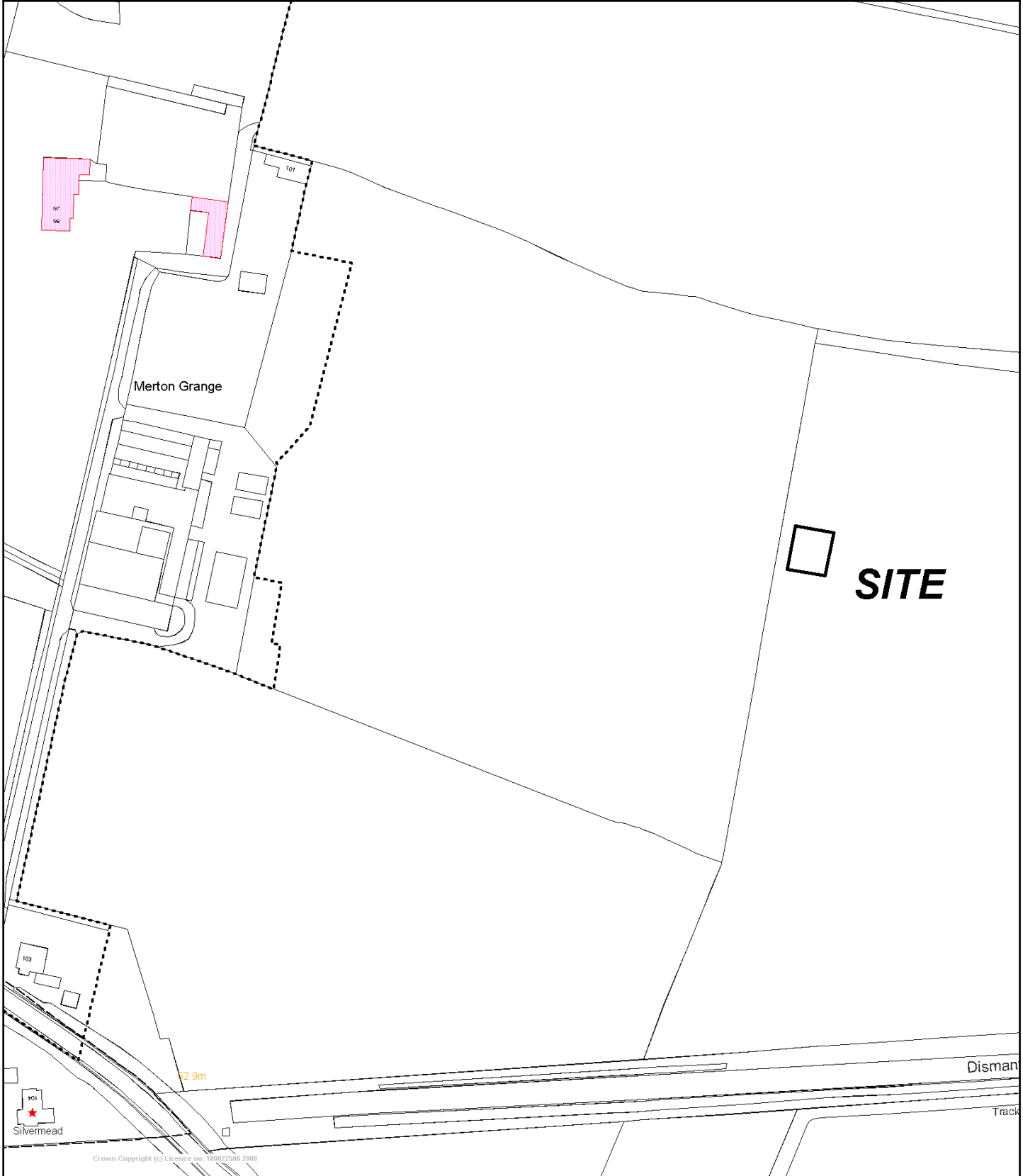
Date for Determination: 17 December 2009

Notes:

This Application has been reported to the Planning Committee for determination because the officer recommendation of delegated approval is contrary to the recommendation of refusal from Gamlingay Parish Council.

Site and Proposal

1. This full application, registered on 22 October 2009, proposes the erection of an extension to the existing free range poultry unit, which is located on land to the north of Station Road, Gamlingay. The site area of the application is limited to the area of the extension but the applicant controls a large area of surrounding land which is used in association with the operation.
2. The majority of the land is to the north of the route of the former Cambridge to Bedford railway line. To the north the land is bounded by Millbridge Brook with agricultural land beyond extending to Long Lane. To the west of the land are Merton Grange and its associated outbuildings, and a dwelling fronting Station Road. To the east is agricultural land.
3. The existing free range production building is located to the east of an existing hedgerow and measures 85.3m x 18.3m. It is 6.8m high. The proposed extension to the north end of the building will extend its length by a further 27.5m giving a total length of 112.8m. The proposed extension is the same width and height as the existing building and will be constructed using the same materials - dark green coated profile steel sheeting.
4. Access to the site is from Station Road, approximately 150 metres to the east of the top of the old railway bridge.
5. The application is accompanied by a Design and Access Statement and a Supporting Statement which refers to the Environmental Statement and Environmental Report, which were submitted with previous applications
6. The application has been screened in respect to the possible requirement for an Environmental Impact Assessment (EIA). The previous applications were not considered to be development requiring an EIA. The view has been taken that the current proposal, which will add an additional 4000 birds, should be viewed similarly.



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Scale 1/2000 Date 21/6/2010

Centre = 524951 E 252034 N

July 2010 Planning Committee

Planning History

7. **S/0662/08/F** – Siting of Mobile Home and Installation of Septic Tank – Approved with Conditions.
8. **S/2148/07/F** – Erection of a Free Range Poultry Unit (Phase 3) – Approved with Conditions.
9. **S/2147/07/F** - Erection of a Free Range Poultry Unit (Phase 2) – Approved with Conditions.
10. **S/2046/07/F** - Erection of a Free Range Poultry Unit (Phase 1) to include egg room and associated hardstanding – Approved with Conditions.
11. **S/0675/07/PNA** – Agricultural Track – Prior Approval not Required.
12. **S/1322/06/F** – Siting of Agricultural Mobile Home - Refused.
13. **S/1321/06/F** – Erection of Poultry Shed together with Access – Refused – Appeal Withdrawn.
14. **S/2194/01/F** – Erection of Agricultural Storage Building together with Access – Refused – Appeal Dismissed.
15. **S/2193/01/F** – Agricultural Mobile Home and Access – Refused – Appeal Dismissed.

Planning Policy

16. **South Cambridgeshire Local Development Framework Development Control Polices adopted July 2007:**

Policy DP/1 – Sustainable Development
Policy DP/2 – Design of New Development
Policy DP/3 – Development Criteria
Policy NE/4 – Landscape Character Areas
Policy NE/6 – Biodiversity
Policy NE/11 – Flood Risk
Policy NE/14 – Lighting Proposals
Policy NE/15 – Noise Pollution
Policy NE/16 – Emissions

Consultation

17. **Gamlingay Parish Council** recommends refusal. ‘Council has long objected to the provision of an egg farm in this location, and has objected in the past on environmental concerns/flooding into the brook, and concerns about the financial viability of the business case presented at previous enquiries. The Council is in receipt of 5 letters of complaint concerning the issue of fly infestation relating to the existing farm of 8,000 chickens, which are attached for your information.

The proposal to increase the farm by another 4,000 hens when there is a serious environmental health issue in existence relating to the existing farm management practices would be irresponsible.

The Parish Council objects to the proposal on the grounds of environmental impact, specifically relating to the continuing fly infestation issues’.

18. The **Corporate Manager (Health and Environmental Services)** commented in November 2009 that environmental health services had received several complaints over the course of the year from residents, relating to fly infestation allegedly from the existing free-range production unit. At that time the issue was still ongoing and had been investigated by an officer who was of the opinion that the complaints were justified. Although officers had been advised that alterations in the pest control scheme had recently been implemented complaints had been received subsequent to this. ‘Considering the aforementioned, in the interests of public health, it is not possible to support the application at this time. As agreed during our site meeting of 20th November, further details of what new procedures have been implemented to control flies on the site should be submitted. Also evidence needs to be shown that an expert in this field, as agreed, will be consulted on the matter with the view to highlighting further mitigation measures.’

Following the receipt of the additional information from the applicant the additional comments have been received. ‘Having now seen the report, which states that the Environmental Consultant who specialises in entomology is satisfied that a nuisance is unlikely to occur based on the new pest control techniques, I would be prepared to support an application.’ It is confirmed that a recent visit to both residents and business owners in the area indicated that they had not experienced any recent problems during spells of favourable weather when problems occurred last year, which coincides with the pest control measures being put in place.

19. The **Local Highway Authority** is of the view that no significant effect upon the public highway should result from this proposal should it gain benefit of planning permission.
20. The **Environment Agency** comments that its Environment Management team has been consulted and has no objection to the proposal as submitted.

It comments that all surface water from roofs should be piped direct to an approved water system using sealed downpipes. Open gullies should not be used

Where soakaways are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 165), and to the satisfaction of the Local Authority. The maximum depth of soakaways is 2 metres below existing ground level. Soakaways must not be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

21. The **Bedfordshire and River Ivel Internal Drainage Board** raises no objection in principle but wishes informatives to be included on any decision notice advising that no development shall take place within 7m of the watercourse without the Board’s prior consent under the Land Drainage Byelaw. This includes fencing, landscaping or other structures; Surface water runoff from the proposals should be restricted to the greenfield equivalent rate unless a higher discharge rate is agreed and has the consent of the Board under the Land Drainage Byelaw.

22. The **Ecology Officer** has no objection.
23. **Natural England** commented that the report accompanying the 2007 application clearly identifies that the site had some biodiversity/protected species interest and made some useful recommendations to protect and enhance these. The applicant should be required to update the surveys/mitigation and include these within a Biodiversity Management Plan for the site. It is therefore requested that a condition is attached to any consent requiring the submission of a Biodiversity Management Plan, to include a time-schedule and details of any further ecological survey work, mitigation and enhancement proposals, prior to any work commencing.

Representations

24. Letters of objection have been received from the occupiers of **103 Station Road; Pinewood Structures, Station Road; Silvermead, 104 Station Road; 102 Station Road;**

The existing facility has inadequate pest control and any expansion will only make matters worse. The existing production unit is a hazard to health and any expansion plans should be put on hold until the owner can demonstrate an ability to manage the existing facility adequately.

Both residential and commercial premises in the area have been continually plagued by flies. This has led to a loss of productivity and morale in the commercial factories.

There will be an increase in the number of heavy good vehicles on what is a small country road in a small village with primary school children crossing. The old railway bridge is already a blind spot and there have been a number of traffic incidents. Further levels of HGV traffic only raises the risk of a fatal accident happening.

Applicants' Representations

25. In a letter accompanying the application it is stated that the extension to the existing building is considered necessary as a result of the significant time delay since the original applications were submitted some 8 years ago. This delay, together with the current financial situation has resulted in an operation which is less cost effective than originally planned. There have also been significant cost increases, particularly in terms of equipment which has to be bought from the continent, as well as the price of electricity which is a considerable part of the running costs for the operation. In order to mitigate these effects, an additional 4000 hens are planned.

As a result of the extension, the size of the collection tank for the storage of the effluent from the washing out of the hen house will be increased from 15.44m² to 20.5m². The servicing of this tank will be as described in the Acorus report which accompanied the earlier applications.

There will be no additional ecological impact to that reported in the ecological surveys which were undertaken in May 2007 and no additional impact on species than that reported in the species survey/assessment, also carried out at that time.

In June 2010 additional information was submitted pointing out that the applicant had recently appointed a Professional Pest Control Company to oversee various insect issues. A Fly Abatement Programme has been put together to run coterminous with the Pest Control Team. (Copies of this information can be viewed as part of the supporting documents for this application).

Planning Comments – Key Issues

26. The key issues for Members to consider in the determination of this application are environmental impact, residential amenity, visual impact and highway safety.
27. **Environmental Impact.** Environmental Health Officers have received a number of complaints about an increase of flies in the area and, following investigation, have identified the existing egg production unit as being the likely source of the problem. When this application was originally submitted the view of the Environmental Health Section was that an application to extend to existing premises could not be supported until that issue had been satisfactorily addressed. It was suggested to the applicant that he needed to engage the services of an expert in this field in order to demonstrate that the matter was being dealt with appropriately.
28. Although some additional procedures in respect of pest control were put in place earlier in 2010, including treating with a larvicide to break the fly life cycle at as early a stage as possible, Environmental Health Officers remained of the view until recently that these procedures should be allowed to operate through the summer months, when it is most likely that problems with flies will occur, so that it could be established how effective these measures had been.
29. Following the receipt of the additional information in June, which includes confirmation that additional fly control measures have now been put in place, and a specialist Company engaged to advise on the problem, the view is that the application can now be supported.
30. A condition should be attached to any consent to ensure the continued implementation of the Fly Abatement Programme, and any other agreed pest control measures.
31. No other significant environmental impact has been identified. Both the Environment Agency and the Bedfordshire and River Ivel IDB raise no objection to the application subject to various informatives being included in any consent.
32. Any planning consent should repeat conditions imposed on the consents for the original building in order to control the environmental impact.
33. **Visual Impact.** The proposed extension will result in a building which is 112m in length. The existing building is well screened from Station Road and Hatley Road. The proposed extension to the building will be to the north and will therefore not materially affect the impact of the building when viewed from this direction.
34. To the west the building is screened by an existing hedgerow and additional planting on the west boundary of the site, required as part of the original landscaping scheme, will further reduce the visual impact of the building from the direction of Merton Farm once established. Although the proposed extension will increase the mass of building when viewed from that direction I am of the view that as any public view is over 200m away any additional visual impact is acceptable.

35. The existing building can be clearly viewed from Long Lane to the north, although again this view is long distance at approximately 600m. The proposed extension will increase the visual impact of the building when viewed from Long Lane, but although the building is already quite distinctive in this location I am of the view that the additional section to be added will not increase the impact of the building to a degree whereby refusal of the application on these grounds would be justified. Again additional planting required as part of the earlier consents will soften the impact of the building when viewed from this direction once established.
36. **Access.** The Local Highway Authority has not objected to the application as there will be no significant change to the number of vehicles as a result of the proposed development. There will therefore be no adverse impact on highway safety.
37. **Ecology/Wildlife.** The Ecology Officer has raised no objection to this latest application. I have asked the applicant to update the surveys/mitigation as requested by Natural England.
38. Gamlingay Parish Council has queried the financial viability of the business case previously presented, however I am of the view that this is not a material planning consideration in this application.

Conclusion

39. This application has been held pending discussions between the applicant and his advisers and the Councils Environmental Health Officers in an attempt to resolve the identified fly problem. It was recognised that the application for an extension to the existing operation could not be supported unless this issue could first be satisfactorily addressed.
40. Having now received the revised comments from the Environmental Health Section I am of the view that the application can now be supported.

Recommendation

41. That the application be approved subject to safeguarding conditions to include the control of the following:

Conditions

1. Time Limit – 3 years
2. Foul Water Drainage
3. Surface Water Drainage
4. Pollution Control
5. Landscaping
6. Implementation of Landscaping
7. Restriction on Hours of Deliveries/Collections
8. External Lighting
9. Fly Abatement Programme

Informatives

Environment Agency and Bedfordshire and River Ivel IDB

Background Papers: the following background papers were used in the preparation of this report:

- East of England Plan 2008
- South Cambridgeshire Development Control Policies 2007
- Planning file refs: S/1366/09/F; S/2148/07/F; S/2147/07/F and S/2046/07/F

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