

AGENDA ITEM 11: SCHEDULE OF PLANNING APPLICATIONS

Item. 11g: pages 98-115

Location: Wellingham: Land to the west of The Street

Erection of dairy unit, including cattle house, milking parlour, loose yard building, general purpose building, feed store, feed bin, milk silo, silage clamps, slurry lagoon, attenuation pond, hard standings and new access.

REFERENCE: 3PL/2020/1484/F

Applicant: Mr Richard Thompson

Author: Fiona Hunter

LOCAL REPRESENTATIONS

A further local representation has been received raising some of the points previously raised including impact to public rights of way and local roads network for recreational use. In addition, the approach to and assessment of the Environmental Impact (Assessment)(EIA).

ASSESSMENT

For clarity EIA Required Section of the committee report provides the EIA Screening Decision, with the EIA Screening assessment provided by the Assessment Notes section of the Planning Committee Report.

Insert new Section 6.A.0:

6.A.0 Recreational Amenity

6.A.1 Some of the local representations have raised that people use the local public road network and Public Right's of Way for recreational activities and exercise such as walking and horse riding. This includes The Street where access for the development is proposed from. The submitted Odour Report includes a modelling odour map showing the European Odour Units around the development (ouE/m³) as an maximum annual 98th percentile hourly mean (i.e. only 2% of hourly means will be above the report levels per year). The Environment Agency published H4 Odour Management guidance (H4) advises for livestock installations that odour above 3 ouE/m³ would "indicates the likelihood of unacceptable odour pollution". At 10.0 ouE/m³ most would describe the intensity of the odour as moderate or strong and if persistent, it is likely that the odour would become intrusive.

The odour report advises that The Street will experience noticeable odours of around:

- 236m of The Street at and exceeding 25ouE/m³
- 195m of The Street at 10 to 25ouE/m³
- 292m of The Street at 5 to 10ouE/m³
- 377m of The Street at 3 to 5 ouE/m³

In total there is 1,100m of the Street where odours will be noticeable regularly which would take 11 to 13 minutes to walk at 3 to 3.2 miles per hour (light brisk pace).

The EA Guidance does not provide maximum odour levels at residential properties vs. transitional locations such as a public highway. However, it can be concluded that at most times there will be a stretch of The Street which is odorous to unpleasant levels post development. No survey has been undertaken to count the number of people using this route outside their cars, however, it will likely to affect a number of people every week and reduce the overall enjoyability of this public route.

On balance, given this is a transitional location and is shared by car and other vehicles with no pavement it is considered that the odour levels are acceptable given the economic benefits of the development. More specifically, had this been a high-quality safe route for walkers, cyclists etc. such as an off-road Public Right of Way then the odour impact would not have been considered acceptable. This is a matter of planning judgement for the planning committee to undertake.

Beyond this stretch of road there is no other public areas where the odours levels will be above the EA benchmark for offensive odours.

Policy COM 03 sets out that for all new development consideration will need to be given to general amenity impact issues. For this development there will be odour but not to levels to have an unacceptable affect on residential properties. However, there will be an impact to users of The Street from odour. As consideration has been given to this, the development complies with Policy COM 03, however, this is a matter of planning balance judgement for the planning committee to undertake as a negative of the development against the benefits which are economic and food supply chain.

From an EIA perspective odour levels along the highway which will have a time limited impact to road users is not considered to create a significant environmental impact.

RECOMMENDATION

Approval subject to conditions.