

**Land South Of Leycroft Barn,
Somerton Road,
Souldern**

15/00541/F

Ward: The Astons and Heyfords

District Councillor: Cllrs Kerford-Byrnes and
Macnamara

Case Officer: Stuart Howden

Recommendation: Approval

Applicant: WS Deeley & Son

Application Description: Erection of livestock building for the rearing and finishing of pigs

Committee Referral: Public Interest

Committee Date: 11.06.2015

1. Site Description and Proposed Development

- 1.1 The application site is located to the south of the village of Souldern and is accessed directly from the Somerton Road. The area is highly rural in character. An established farming business operates from Leycroft Barn and is isolated from other forms of development. Three agricultural buildings used as grainstores are located at the site and consent was granted last year for a livestock building for the rearing and finishing of pigs at the site (14/00466/F), but this building has not been built (however the ground works for this building was in preparation on the 13th May 2015).
- 1.2 Planning Permission is sought for the erection of a further agricultural building for pig rearing and finishing and this would be highly similar in terms of design and scale to the livestock building which was approved last year. The building is proposed to be sited to the south of the existing soil bund and the proposed siting of the approved livestock building. The building is proposed to be orientated on an east west axis and would run parallel to the other livestock building which was approved on site. The structure is proposed to be a length of approximately 61 metres, a width of approximately 15 metres and a height of approximately 7.5 metres. The walls are proposed to be constructed from concrete panels and adjustable gale breaker curtains in juniper green. The roof is proposed to be constructed from fibre cement sheeting in standard grey.
- 1.3 Like the previously approved building at the site, the structure is proposed to house 995 pigs on a straw based rearing system. The approved livestock building directly to the north of the site and the proposed livestock building could therefore cumulatively hold a maximum of 1,990 pigs at any one time. It is proposed that the pigs would be reared to finishing weight for British Quality Pigs (BPQ). Pigs would arrive part weaned at the age of three to four weeks and would normally be finished at around 22 weeks. Feeding will be by an automated auger system and the interior temperature of the building will be regulated by computer controlled gale breaker-style automatic ventilation. The proposal includes a hardstanding area for parking and turning to the west of the building. It is proposed that a stockman would be employed to manage the pig rearing unit.
- 1.4 At the end of the batch of pigs, the straw bedding is proposed to be removed and the building washed out and prepared for the next batch of pigs. A dunging area is proposed within the building and the manure deposited within the dunging area would be scraped into a concrete manure pad at the east end of the building. The manure pad would be enclosed by a catchment drain, and dirty water arising from the manure pad would be collected within a sealed concrete tank underneath the manure pad. All muck, solid and liquid within the livestock units, are proposed to be spread on the

arable land at Leycroft Barn. It is envisaged that some 120 acres of land at land at Leycroft Barn will be utilised for spreading. The manure from the pigs is proposed to be a substitute for sewage cake which the applicant currently imports and spreads on their land holding.

- 1.5 No listed buildings are located within close proximity to the site and the site is not within a Conservation Area. The site is located within an Area of High Landscape Value.
- 1.6 A screening opinion in May 2015 (15/00041/SO refers) concluded that an EIA was not required for the proposed development.

2. Application Publicity

2.1 The application has been advertised by way of site notice and press notice. The final date for comment was the 28th May 2015. 19 Letters have been received from 14 people who object to the proposal. The concerns from these letters are summarised below:

- A decision should not be made and the applicant should wait until the first livestock building is constructed so an assessment can be made in to what the impacts of a second livestock building will be;
- Detrimental harm to the character and visual appearance of the landscape;
- Smell from the pigs and waste/muck - the site is not remote and is within close proximity to residential properties;
- There is a lack of information in relation to the treatment of waste;
- Noise from pigs and traffic;
- The proposal is contrary to saved Policy AG3 of the adopted Cherwell Local Plan;
- Adverse impact upon Highway Safety given the number of movements of large vehicles on a road that is unable to accommodate these type of vehicles;
- According to DEFRA there has to be a 600 metres separation distance between an intensive pig unit and the nearest dwelling;
- This is a nitrogen area sensitive zone which means that the muck has to be stored at certain times of the year as it cannot be spread in the winter months;
- The application form notes there is no provision for storage or collection of waste, but this is incorrect;
- The supporting statement by the applicant's agent is factually incorrect;
- Impact upon house prices.

2.2 2 letters from 2 people who support the application have been received. The points raised in these letters are summarised below:

- Two sheds will create enough work for a full time additional member of staff;
- The proposal complies with the National Planning Policy Framework 'Supporting a prosperous rural economy';
- Diversification is required within working farms to enable them to make profit;
- As the wind flows in a southern direction away from the village, the smell should be minimal;
- The smell is not an unusual one within a rural area;
- Any noise from the site will be drowned out by the motorway;
- The business is also environmentally friendly as the muck is going to be used as fertiliser (instead of the use of granular fertiliser and human waste).

3. Consultations

3.1 Souldern Parish Council: Object to the proposal on the following grounds:

"The parishioners of the village feel strongly that approval for this building to be erected should not be granted. Permission has already been granted for a building (application 14/00466/F) on this site, which has not yet become operation. Without the benefit of an environmental impact assessment on the first building on the local area there is a good deal of unrest.

Noise and Smell pollution are the obvious key issues, and are likely to have impact on the village despite assurance to the contrary. There are a number of properties that lie within 500 metres of the proposed building.

The increased traffic movements required for a site that will double in size will be significant. The junction of the B4100 at the entrance to the village is a well established "rat run", and this will only exasperate that situation.

The development of this site will not have a material benefit to the wider local economy but could have a detrimental effect on local house values within the immediate vicinity.

The negatives far outweigh the positives for this particular application, and for this reason the Soule Parish Council objects to its approval being granted".

Cherwell District Council Consultees

3.2 Ecology Officer: No objections.

3.3 Anti-Social Behaviour Manager: *"One of the main issues with this type of proposal is how wastes are kept/handled, whether dry or wet or mixed because this is typically the source of odours. There is some information in the Design and Access Statement regarding waste handling, and ventilation and also that it will be a straw based system. However, given the size of the unit and the potential for nuisance I would have expected more detail. Fly nuisance could be an issue depending on how wastes are managed but this has not been addressed. It mentions that feed will be delivered but it is not clear if any feed grinding will take place on site which can be noisy.*

Further information is required in respect of waste and odour management from the proposed unit. I would therefore recommend that an Odour Management Plan and a Waste Management Plan are submitted. Although this application is for one unit the odour and waste management plans would need to address the cumulative impact of both units.

The waste management plan should also address the potential for fly nuisance, and if feed grinding is to take place on site a noise assessment would be required."

3.4 Nuisance Investigation Officer: *"I note an EIA is not considered necessary for this development. I also note that the design and access statement does not address the issue of odour which is going to be an issue here that needs to be addressed. Pig manure and muck spreading can give rise to offensive smells and nuisance. I note a number of objections have been made on the grounds of possible odour.*

Environment Agency advice is that an odour management plan (OMP) is required where a site is within 400m of a sensitive receptor such as a neighbour; this is generally for sites of more than 2,000 pigs that require an Environmental Permit (EP). As this proposal will increase the number of pigs to 1,900, just below the number for which an EP will be required I would suggest the applicant be requested to submit an

odour management plan as part of their planning application submission which can be considered prior to a decision being made.”

- 3.5 Landscape Officer: *“Given that this site is in an Area of High Landscape Value and there is going to be a significant effect on the landscape and visual receptors it is important to mitigate this development with woodland planting to the southern and eastern elevations. This would reinforce/enhance the existing woodland/rural character of the adjoining landscape. This woodland will mitigate views of the development from users of the Souldern to Fritwell Road to the east and the PRow to the southwest (rc: 351/8/10).*

A minimum 5m wide woodland belt adjacent to the southern and eastern elevations keeping in mind of the appropriate distances between the foundations and large trees to prevent future structural damage to the structure. Native Oak, Common Cherry and small leaved Lime are to be used with understory of Hawthorn, Blackthorn, Hazel and Wild Private and Holly (evergreen cover).

The existing hedgerow and trees to the west of the development are to be retained and reinforced with hedgerow trees for the purpose of visual mitigation from the aforementioned PRow – this to be shown on landscape proposals. A minimum maintenance height is to be proposed; I recommend 3 m.

The retained structural vegetation is to be shown on landscape proposals. All landscape details to show Latin names of plants, sizes (10 -12 cm standards for trees), locations, planting densities, percentages and numbers. Rabbit guards will be required.

All operations are to accord with the National Plant Specification, in respect of plant supply, handling, planting operations (cultivation) and aftercare – refer to <http://www.gohelios.co.uk/about.aspx>”

Oxfordshire County Council Consultees

- 3.6 Local Highways Authority: *“Regarding the above named planning application, Oxfordshire County Council as Local Highway Authority hereby notifies the District Authority that they do not propose to object to the grant of permission i.e. there are no objections to the proposal from a traffic and highway safety point of view.”*

Other Consultees

- 3.7 Council’s Agricultural Advisor: No objections, subject to the conditioning of an Odour Management Plan and a Muck Management Plan.
- 3.8 Thames Water: No objections in relation to sewerage infrastructure capacity and water infrastructure capacity.

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

- AG2: Construction of farm buildings
- AG3: Siting of new or extension to existing intensive livestock and poultry units
- AG4: Waste disposal from intensive livestock and poultry units
- C2: Legally protected species

- C7: Landscape conservation
- C8 Sporadic development in the open countryside
- C13 Area of High Landscape Value
- C28: Layout, design and external appearance of new development
- C31: Compatibility of proposals in residential areas
- ENV1: Development likely to cause detrimental levels of pollution

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Planning Practice Guidance (2014)

Submission Cherwell Local Plan (2015)

Submission Local Plan (2015) (SLP) has been through public consultation and was submitted to the Secretary of State for examination in January 2014, with the examination beginning in June 2014. The Examination was suspended by the Inspector to allow further work to be undertaken by the Council to propose modifications to the plan in light of the higher level of housing need identified through the Oxfordshire Strategic Housing Market Assessment (SHMA), which is an objective assessment of need. Proposed modifications (August 2014) to meet the Objectively Assessed Need were subject to public consultation, from 22nd August to 3rd October 2014. Although this plan does not have Development Plan status, it can be considered as a material planning consideration. The examination reconvened and closed in December 2014 and the Inspectors report is likely to be published in Spring 2015.

The policies listed below are considered to be material to this case and are not replicated by saved Development Plan Policies:

- PSD1: Presumption in Favour of Sustainable Development
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment.
- ESD13: Local Landscape Protection and Enhancement
- ESD16: The Character of the Built and Historic Environment

5. Appraisal

5.1 The key issues for consideration in this application are:

- Relevant Planning History;
- Principle of the Development;
- Design & Landscape Impact;
- Residential Amenities;
- Highways Safety;
- Ecological Impact;
- Other Matters.

Relevant Planning History

5.2 14/00466/F – Erection of livestock building for the rearing and finishing of pigs – Planning permission granted.

5.3 13/00032/AGN – Extension to existing grain store – Agricultural prior approval granted.

5.4 08/02577/F – Detached cart shed style garage/log store – Planning permission

granted.

- 5.5 08/02475/F – Erection of agricultural building for grain drier and a building for electric control gear (part retrospective) – Planning permission granted.
- 5.6 08/00444/F – Proposed agricultural buildings – Planning permission granted.
- 5.7 08/00443/F – Proposed earth bunds, landscaping and attenuation pond for surface water – Planning permission granted.
- 5.8 04/00025/F - Erection of a double open garage – Planning permission granted.
- 5.9 96/00597/F - Erection of a double open garage – Planning permission granted.
- 5.10 95/00143/F - Conversion of barn to dwelling with garaging and access – Planning permission granted.

Principle of the Development

- 5.11 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF defines this as having 3 dimensions: economic; social; and environmental.
- 5.12 The NPPF advocates the support of the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well-designed new buildings. This also includes the diversification of agricultural and other land-based rural businesses.
- 5.13 As noted in the Agricultural advisor's report, in 2014 the applicant decided to move into stock farming based on pig rearing in response to pressure on farm margins due to the long term outlook for arable commodity prices. The Agricultural advisor notes that the building proposed will enable the applicant to double the proposed pig production thus providing a better economic proposition in terms of overall farm income with the added benefit of providing employment for a dedicated stockman. The proposal would therefore lead to the diversification and expansion of an established agricultural business within a rural area. Thus, it is considered that the proposed development could be acceptable in principle. However, the principle of the proposed development in this case is clearly also dependent upon it being capable of not causing detrimental harm to the character and appearance of the landscape, the amenities of any residential properties, highway safety and ecology. These issues are discussed below.

Design & Landscape

- 5.14 Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 5.15 Saved Policy AG2 of the adopted Cherwell Local Plan notes that farm buildings and associated structures requiring planning permission should normally be so sited that they do not intrude into the landscape or into residential areas.
- 5.16 Saved Policy C28 of the adopted Cherwell Local Plan exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context.

- 5.17 Saved Policy C13 of the adopted Cherwell Local Plan states that the council should seek to conserve or enhance an Area of High Landscape Value. Saved Policy C7 notes that development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape. Saved Policy C8 of the adopted Cherwell Local Plan notes that sporadic development in the open countryside will generally be resisted if its attractive, open and rural character is to be maintained. Policy C8 applies to all new development proposals beyond the built up limits of settlements, but will be reasonably applied to accommodate the needs of agriculture. The NPPF also advises that the open countryside should be protected for its own sake.
- 5.18 Whilst the proposed building would not be within the built up limits of any settlement, Officers are of the opinion that the proposed development would not be sporadic development given that the site is situated within an established farm complex which accommodates other agricultural buildings.
- 5.19 The Council's Agricultural advisor is of the opinion that the proposed siting of the livestock building is appropriate and notes that the building would be in line with the permitted pig rearing building and the location off the existing hardcore yards will facilitate loading and unloading of pigs, strawing down, etc. The design of the proposed livestock building is considered to be agricultural in appearance and the scale of the proposed agricultural structure is not considered to be unusual.
- 5.20 Officers hold the view that the proposed livestock building would be visible from the public domain of the Souldern/Somerton and Souldern/Fritwell roads to the south and south west of the site and Public Bridleways 351/8 and 351/13 where they run to the south and south west of the site. However, landscaping to the west of the proposed siting of the livestock building would partially screen the proposed structure from these two Bridleways where they run to the west of the site. Where Somerton/Souldern road runs to the east of the proposed siting of the livestock building, the existing landscaping on the highway boundary would screen a large proportion of the proposed building from this road. Due to the topography of the landscape and intervening structures the proposed livestock building would not be clearly visible from Souldern village to the north of the site.
- 5.21 Officers conclude that there would be a notable visual impact from Public Bridleways 351/8 and 351/13 and Souldern/Somerton and Souldern/Fritwell roads to the south and south west of the site given that the proposed building would not be screened by other structures at the site and due to the topography of the area. That said, a tree belt has already been planted along the eastern boundary of Public Bridleway 351/8 from the Souldern/Fritwell Road to the north west for approximately 200 metres and these trees are maturing.
- 5.22 Whilst the Landscape Officer has recommended woodland planting to the southern and eastern elevations of the proposed siting of the livestock building to screen views of the development from the public domain, Officers are of the opinion that it would be unreasonable to attach this as a condition to any consent. This is because it is considered that existing landscaping to the east of the site would screen these buildings to a large extent from the public highway to the east of the site and because a tree belt has already been planted to the south of the site that will contribute in screening views from the Souldern/Somerton and Souldern/Fritwell roads to the south and south west of the site and Public Bridleways 351/8 and 351/13 to the south and south west of the site.
- 5.23 As noted above, the existing tree belt runs adjacent to Public Bridleway 351/8 for approximately 200 metres and then a hedgerow borders to the Public Footpath further to the north west of this right of way. However there are gaps within this

hedgerow and given the proximity of this section of the bridleway to the proposed siting of the livestock buildings, Officers are in agreement with the Landscape Officer who recommends that the existing hedgerow and trees to the south west of the proposed siting of the livestock building are retained and reinforced and allowed to grow taller. A minimum height of 3 metres is considered acceptable in order to mitigate views from the bridleway.

- 5.24 For the reasons above it is considered that the proposed livestock building would not have a detrimental impact upon the character and visual appearance of the landscape, subject to the aforementioned condition.

Residential Amenity

- 5.25 Saved Policy C31 of adopted Cherwell Local Plan notes that in existing and proposed residential areas any development which is not compatible with the residential character of the area, or would cause an unacceptable level of nuisance or visual intrusion will not normally be permitted. Saved Policy ENV1 of the adopted Cherwell Local Plan states that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke other type of environmental pollution will not normally be permitted.
- 5.26 Saved Policy AG3 of the adopted Cherwell Local Plan notes that in the interests of the avoidance of pollution, new intensive livestock and poultry units or extension to existing units that require planning permission will be resisted where they would have a materially detrimental effect on nearby settlements or dwellings due to smell. Saved
- 5.27 The cumulative impact of this proposed unit together with the approved unit, which has yet to be constructed, is a key consideration when assessing nuisance and pollution, and this has been assessed.
- 5.28 One of the main issues with this type of proposal is how wastes are kept/handled, whether dry or wet or mixed because this is typically the source of odours.
- 5.29 The village of Souldern is located approximately 450 metres to the north of the proposed site for the pig rearing building and approved site for the other pig rearing building and the Council's Agricultural advisor notes that the prevailing wind direction is westerly therefore residents within Souldern should not be unduly affected by the operation of what is a straw based system of rearing. The site is relatively isolated with no immediate neighbours and there are no residential properties directly to the west of the site for more than 1KM. Furthermore, the Agricultural advisor states that if the unit is not operated correctly, action will be taken by BPQ and it is therefore in the interest of the applicant that the units are operated without causing detriment to the local population. Whilst it is acknowledged that there will be periods when the prevailing wind changes therefore creating the possibility of some odour (particularly when batches are cleaned out), the Council's Agricultural advisor states that this should be short lived.
- 5.30 There is the potential for odour to arise during periods of spreading the solid and liquid manure. Our agricultural advisor notes that the applicant has some 700 acres of owned land in their control and it is likely that the applicant would spread manures on the land where it will cause fewest problems for property owners. The Agricultural advisor states that odour from spreading will be short lived and that it is normal practice to spread manures after the harvesting of arable crops and for the manure to be incorporated into the soil during ploughing and tillage operations.
- 5.31 It is considered that the issue of odour has not been fully addressed by the applicant in his submission. Furthermore, as noted by the Nuisance Investigation Officer, the Environment Agency advice states that where sites accommodate more than 2000

pigs an Odour Management Plan (OMP) should be required where a site is within 400m of a sensitive receptor such as a neighbouring property. As the proposal would increase the number of pigs to 1,990, just below this Environment Agency threshold and given that there are neighbouring properties less than 400 metres away, Officers are in agreement with the Nuisance Investigation Officer and Anti-Social Behaviour Officer who recommend that an OMP is required as a condition of any permission granted. The Council's Agricultural advisor also recommends an OMP is submitted. The OMP would need to address the cumulative impact of both units.

- 5.32 In addition, limited detail has been submitted with the application in relation to the management of waste. For example, the Anti-Social Behaviour Manager notes that fly nuisance could be an issue depending on how wastes are managed but this has not been addressed therefore more information is required. Officers are therefore in agreement with the Agricultural advisor and the Anti-Social Behaviour Officer who recommend the requirement of a Waste management Plan to be submitted. The Waste Management Plan should also address the cumulative impact of both units
- 5.33 The Anti-Social Behaviour Manger has raised concerns in relation to feed grinding taking place on site and the potential noise that this could cause. However, feed grinding would not take place on site and feed would be delivered off-site and the pigs would be on permanent ad lib feeders. It is considered that the noise from the pigs or transport entering and leaving the site would not be so significant so as to unduly affect the amenities of any residential properties.
- 5.34 It is therefore considered that the proposal would not cause detrimental harm to the amenities of any residential properties in terms of smell, odour or nuisance subject to the aforementioned conditions. Furthermore, the proposed livestock unit would be sited so as to prevent detrimental harm to any residential property in terms of loss of light and overdomination.

Highways Safety

- 5.35 The Local Highways Authority have no objections to the proposal from a traffic and highway safety point of view. Officers see no reason to disagree with the Local Highways Authority in this instance. The vehicular movements associated with the proposal are likely to increase the number of vehicles using Somerton Road, however, these are not considered to be of a significant level to recommended refusal to the proposal based upon the National Planning Policy Framework. It is therefore considered that the proposal would not cause detrimental harm in relation to highway safety.

Ecological Impact

- 5.36 The Ecology Officer notes that the area of land proposed for the pig unit is an arable field with little potential to support protected species, therefore the Ecology Officer has no objections to the proposal. It is therefore considered that the proposal would not cause detrimental ecological harm.

Other Matters

- 5.37 Policy AG4 of the adopted Cherwell Local Plan notes that proposals for new intensive livestock or poultry units or extensions to existing units as may be permitted in the plan area will be required to include suitable provision for waste disposal. A third party has highlighted that this is a Nitrogen Vulnerable Zone and that the spreading of waste could have an impact upon the water. Given the above and the lack of detail in relation to waste management, a condition requesting a Waste Management Plan is therefore recommended in order to prevent the proposal having an adverse impact to watercourses.

- 5.38 Objections from third parties have been raised on the basis that the impacts of the proposed livestock unit cannot be fully assessed until the approved livestock building has been constructed and the use has been established. However, each planning application should be considered on its own merits and the cumulative impacts of the approved unit together with the proposed unit have been taken into account.
- 5.39 Concerns have been raised by third parties in relation to the impact the proposal would have on house values and that the proposal would not comply with DEFRA regulations, but these are not material planning considerations in this case.

Engagement

- 5.40 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. The deadline date for consultation responses exceeded the target determination date.

Conclusion

- 5.41 The principle of the development is deemed acceptable and it is considered that the proposed livestock building would not cause detrimental harm the character or visual appearance of the landscape. The proposal is also considered not to have an adverse impact upon the neighbour amenity, highway safety or ecology and the proposal is therefore considered compliant with the policies outlined in section 4 of this report. Overall, the proposal is considered to have no significant adverse impacts, therefore the application is recommended for approval and planning permission should be granted subject to appropriate conditions.

6. Recommendation

Approval, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application Forms, Design and Access Statement and Drawing No's: IP/ED/01; IP/ED/02; and IP/ED/03 submitted with the application and the e-mail received from the applicant on 5th May 2015.

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

3. Within the first available planting season following the occupation of the building, or on the completion of the development, whichever is the sooner, the existing hedgerow shall be reinforced by additional planting in accordance with a detailed scheme which shall firstly be submitted to and approved in writing by the Local Planning Authority. Thereafter, the hedgerow shall be retained and properly maintained at a height of not less than 3 metres, and any plant/tree within the

hedgerow which, within a period of five years from the completion of the development dies, is removed or becomes seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species in accordance with BS 4428:1989 Code of practice for general landscape operations (excluding hard surfaces) or the most up to date and current British Standard). Thereafter the new planting shall be properly maintained in accordance with this condition.

Reason - In the interests of the visual amenities of the area, to provide an effective screen to the proposed development and to comply with saved Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. Prior to the commencement of the development hereby approved, an Odour Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with saved Policies AG3 and ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Prior to the commencement of the development hereby approved, full details of the location, method of storage and disposal of all waste from the two livestock units shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out and maintained in accordance with the approved details.

Reason – To ensure that proper arrangements are made for the disposal of manure/slurry/waste, to ensure the creation of an environment free from intrusive levels of odour/flies/vermin/smoke/litter and to prevent the pollution of adjacent ditches and watercourses, in accordance with saved Policy ENV1 and AG4 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

PLANNING NOTES

- 1 Planning permission only means that in planning terms a proposal is acceptable to the Local Planning Authority. Just because you have obtained planning permission, this does not mean you always have the right to carry out the development. Planning permission gives no additional rights to carry out the work, where that work is on someone else's land, or the work will affect someone else's rights in respect of the land. For example there may be a leaseholder or tenant, or someone who has a right of way over the land, or another owner. Their rights are still valid and you are therefore advised that you should seek legal advice before carrying out the planning permission where any other person's rights are involved.
- 2 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public

sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 3 In relation to Conditions 4 and 5, the Odour Management Plan and Waste Management Plan should address the cumulative impact of both livestock units

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.