



Committee Report

Planning Committee - 8 September 2020

Application no DC/19/2195/FUL

Location

Land Adjacent To West End Farm
Mill Lane
Shadingfield
Beccles
Suffolk
NR34 8DL

Expiry date 7 May 2020 (Extension of time agreed until 31 August 2020)

Application type Full Application

Applicant Merrells Growers Ltd

Parish Shadingfield

Proposal To build 3no. poultry house with associated admin block and feed bins

Case Officer Iain Robertson
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1. Summary

- 1.1. The application seeks planning permission for a poultry production unit with capacity to house some 141,000 broiler chickens, which are produced for their meat; this facility would comprise 3no. poultry houses with associated admin block, feed bins and accompanying vehicle access. The facility would serve the recently completed Crown Chicken processing plant at Eye.
- 1.2. The farm has traditionally been a livestock farm, currently farming cattle. The proposal would allow diversification to enable this agricultural operation to move forward with a sustainable business model.
- 1.3. As highlighted within Schedule 1 (17) (a) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, installations for the intensive

rearing of poultry with more than 85,000 places for broiler chickens requires an Environmental Statement (ES) to accompany the planning application.

- 1.4. This planning application was initially submitted on 30th May 2019 without an ES. In accordance with Regulation 11 of the Environmental Impact Assessment (EIA) regulations the application was suspended, and the applicant was notified that an ES was required. Pursuant to Regulations 15 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the applicant asked for a 'scoping opinion' from the planning authority to state in writing the scope and level of detail of the information to be provided in the environmental statement. Although a scoping opinion could not be formally requested, as the application had already been submitted without an ES, the scope of the ES was provided on an informal basis, the details of which have been submitted with this application.
- 1.5. Following the submission of the ES the planning application was validated on 17 January 2020 and the consultation process was commenced.
- 1.6. A suitable ES has been submitted, the content of which meets the requirements of Regulation 18 and has enabled the Local Planning Authority to reach a reasoned conclusion on the likely significant effects of the development on the environment as required by Regulation 18 4 (b) and Regulation 26 1 (b).
- 1.7. The application has received a significant level of objection from the residents of the nearby settlement of Shadingfield who consider the proposed location for the development to be inappropriate for intensive rearing of poultry due to proximity to the village and the perceived harm primarily to residential amenity and that of the surrounding environment.
- 1.8. Officers consider that the ES demonstrates that the proposed development would not have a significant impact on the amenity of the wider environment or that of neighbouring uses and that where harm is identified suitable mitigation measures can be provided or would be outweighed by Economic Benefits.
- 1.9. The proposed facility would be part of a regionally important supply chain meeting a national demand, contributing to the local rural economy in terms of associated job creation, which would go well beyond that proposed for West End Farm itself.
- 1.10. The application is therefore recommended for approval.
- 1.11. This application is before the Planning Committee at the discretion of the Head of Planning and Coastal Management due to the scale of the development and the public interest in this application. Following a site visit and additional information received, the recommendation by officers remains one of approval.
- 1.12. The Planning Casework Unit at MHCLG has received a request to intervene in this planning application from a group of parish councils within both East Suffolk and Mid Suffolk administrative areas. This intervention does not preclude the Local Authority from making a determination on the application, however no formal decision can be issued until formal confirmation has been received from the Planning Casework Unit as to

whether they wish to pick up the application for determination via a Public Inquiry or not. The outcome of the Planning Committee North will be communicated to the unit after the determination has been had and Members updated accordingly.

2. Addendum

Site visit:

- 2.1. At the North Planning Committee meeting of 14 July 2020, it was resolved to defer a decision on this application until such time that a site visit could be carried out by members to view the application site in context.
- 2.2. Due to Covid 19 restrictions attendance was limited to the members of the Planning Committee with 'bubbles' of no more than six people at a time including officers; this took place throughout the day on Wednesday 19 August 2020.
- 2.3. Due to the difference in site visit protocol to that specified in the Constitution of East Suffolk Council, which allows for representation from the Parish Council and the applicant an amendment under the Monitoring Officer's delegated powers was made. Section 7 (site visits) of the Code of Good Practice and Guidance to Members – Planning and Rights of Way, within Part 4 of the Constitution was replaced with arrangements for such visits during the Covid 19 pandemic.
- 2.4. Details of attendees and the minutes of the site visit can be found at Appendix A. The route which was taken during the site visit can be seen at Appendix B.

Additional details:

- 2.5. Since the previous committee meeting some additional details have been provided by the applicant's agent dated 13 August 2020 to provide clarification on the following matters raised by members at the previous committee meeting:

Landscape plan and Visualisations:

- 2.6. An indicative landscaping plan shows a potential landscaping strategy for the site, details of which are required by condition 20 within section 10 of the report. This is submitted together with additional montages of the proposed building within the landscape.

Vehicular movements:

- 2.7. Reassurance that the numbers of vehicular movements associated with the proposal as highlighted within the Transport Assessment are accurate and informed by existing poultry operations and that waste would be removed by HGV rather than smaller multiple loads by tractor and trailer as suggested by objectors.

Alternative agricultural uses:

- 2.8. It has been highlighted that other types of agricultural activities could operate on the site, such as the former dairy herd which operated from West End Farm, with varying

numbers of large vehicles using the access onto the A145, many of which would create vehicular movements in excess of that shown within the current application.

Odour and prevailing wind conditions:

- 2.9. Diagram showing the prevailing wind conditions, originating from the South West.

Additional Representations - Objectors:

- 2.10. Photos have been received within an email dated 20 August 2020 sent to all members of the committee showing HGV tracks from Mill Lane turning left onto the A145, which shows a vehicle crossing the carriageway. This occurrence has been acknowledged in paragraph 8.117 of this report and due to the limited number of vehicle movements associated with this proposal it has been concluded that this would not have an unacceptable impact on highway safety. Furthermore, as highlighted in Paragraph 2.01 of the Transport assessment the government's 20 years Crashmap data (KAB 10) confirms that, even during periods with higher annual vehicle flows along Mill Lane, there were no collisions recorded.
- 2.11. It should be noted that there are two operation farms that use Mill lane for access, West End Farm (applicant) and Park Farm, there are also five residential properties.

Additional Representations - Parish Council:

- 2.12. Caroline Ellis – Chair Shadingfield, Sotterley, Willingham & Ellough jt. Parish Council made on 05 August 2020.

"I believe that conducting this site visit without Parish Council representation is the democratic equivalent of 'backfitting data', for reasons I outlined in my e-mail of 29th July. This was particularly raised concerns when you confirmed to me in our telephone conversation that you had already discussed the visit with the applicant with regard to him offering parking facilities.

I understand that the meeting will be 'minuted', but in view of the sensitive nature of these visits, and the fact that you have discussed the visit with the applicant, perhaps you would consider providing a video or audio recording of the visits to allay my concerns regarding transparency and equality of representation.

My comments and requests for members of the Planning Committee, numbered for ease of reference, are as follows:

- 1. I would ask that Members of the Planning Committee access the site on foot from the A145 (since that is how most residents and visitors currently approach and experience the site); there is safe and sufficient off-road parking at the Village hall. I respectfully request members of the Planning Committee particularly consider the following during the site visit(s):*
- 2. Consider the current tranquil and unspoilt nature of the landscape and the site, as described by Historic England and Suffolk Preservation Society, and reluctantly acknowledged by Mr Scrimgeour SCC.*

3. *Consider the proximity of the site to Moat Farm; would you be more likely to take this fragile and historic building on for restoration if this facility were built, or less likely? Would you consider a large industrial site such as this to contribute in a positive way to the the setting?*
4. *As the NPPF establishes, setting is the area in which a heritage asset is 'experienced'. How do you consider this 'experience' will be affected by a large, noisy, smelly agri-industrial complex of such overwhelming proportions? What effect do you think the HGV traffic and corresponding pollution it will generate will have?*
5. *Imagine three 5m high, 100m long steel clad sheds, 8m high feed bins, the noise from the unfiltered extraction fans running 24/7, noise and pollution from diesel forklifts, including aural reversing warnings, HGVs all year round, and ask yourself if that strikes you as appropriate development for this quiet, rural setting?*
6. *In the event of an Avian Flu outbreak at the proposed 'facility', consider the number of properties / businesses that will be affected. I attach a map showing a 1km radius (taken from the planning application), which was the area of the lockdown zone implemented when there was an outbreak of Avian Flu in Athelington in December 2019.*
7. *Note the location of the proposed passing bays on Mill Lane. The majority of the traffic on Mill Lane not generated by the applicant is from the residences at the east end of Mill Lane i.e. at the junction with the A145, and Park Farm. The proposed passing bays are located west of the Water Tower and this will not address conflicting traffic flows between the applicant's business and the majority of current users.*
8. *Please note the width and surface quality of Mill Lane; consider being a pedestrian, with or without children or dogs, or being on horseback, mobility scooter, wheelchair or bicycle, accessing the local footpaths; if you are on Mill Lane and are met by or pursued an HGV, where will you go to allow safe passing? Please note that while there have been assertions that the level of traffic is considered to be 'low' (a point we dispute and will challenge in due course), no survey or data on pedestrian traffic has, to my knowledge, been carried out, so can you be sure there is no issue here if you are basing your assessment on flawed and absent data?*
9. *Consider the speed and volume of traffic on the A145, and ask if you think it is safe for HGVs to be turning out onto this road from Mill Lane, using both carriageways to do so; we will demonstrate in a report to follow that the estimated vehicle movements are grossly underreported.*
10. *Look again at the footpath / rights of way map (see below). Mill Lane is the principle access for most of these, since it is the only place on the A145 that is accessed from a pavement; all other places where the footpaths emerge onto the A145 are directly onto soft/uneven grass verge and unsafe to walk any distance. I would assert that not to mark Mill Lane up as a footpath was disingenuous and misleading. Cllr. Elliott also referred to this issue at the committee meeting of 14th July.*
11. *SSWE jt. Parish Council have already put in place a biodiversity and heritage enhancement initiative to plant out verges with native and local wildflowers and had identified Mill Lane verges for this enhancement. Consider what, as a user of Mill Lane, would most encourage you to walk and exercise along here, wildflower verges or muddy, rutted tyre tracks?*
12. *Consider, in the disastrous event that this application is approved (and it will be a disaster for the village if you approve this), what screening and planting would make it acceptable to you if you were a resident?"*

3. Site description

- 3.1. The proposed development area is a parcel of arable land approximately 2 hectares in size situated within a larger field. This field is situated close to the Grade II* listed Moat Farmhouse which stands on a Scheduled moated site and is part of an important medieval complex.
- 3.2. The Grade II* listed Moat Farmhouse is a timber-framed cross passage plan house and dates from the mid-16th century. Its jettied front and decorated timbers identify it as a building of some status. It is accompanied by an 18th century barn and other 19th century farm buildings and stands on a moated site where it will have replaced a medieval house. The moat is larger and complicated in form, including a small extension where a dovecot probably stood surrounded by its own moat.
- 3.3. Westend Farm is to the west of this site and also has a major medieval moat including internal ponds on the moat platform which could have been fishponds managed by the inhabitants. Between West End and Moat farms there is extensive evidence of an abandoned medieval settlement, with clear earthworks of roadways and house/garden boundaries. There is also evidence that the settlement was linked with the site at moat farm. Both the moats and the settlement earthworks are designated as Scheduled Monuments.
- 3.4. The moated sites are surrounded by fields and it is known that those to the east of Moat Farm were previously part of Shadingfield common, giving a clue as to how the medieval farming landscape might have operated around the scheduled site. Though this landscape has changed in the centuries since the medieval period it remains as farmland.
- 3.5. A ditch and native species hedgerow with trees extend along the North, West and South sides of the application site and in part the Northern extent of Eastern boundary. The ancient boundaries of commons, where they survive, are precious and usually marked by a ditch and hedge that are noticeably larger than others in the locality. Part of the ancient common boundary forms the northern edge of the application site and is of high historical importance.
- 3.6. The application site is located approximately 600m west of Willingham, approximately 3.7km south of the town of Beccles. Current access to the site is gained from Northern corner of the site on Mill Lane which runs along the Southern and Western edges of the application site and joins the A145 (London Road) to the East. Mill Lane is a single-track lane which currently serves the existing farming activities at West End Farm and Park Farm.
- 3.7. The proposed access would be constructed to the South of the existing access approximately 750m from the junction with the A145 made through the existing hedge line on the Western boundary of the site.

4. Proposal

- 4.1. The application seeks planning permission for a poultry production unit with capacity to house some 141,000 birds comprised of 3no. poultry houses with associated admin

block, feed bins and accompanying vehicle access at Land Adjacent to West End Farm, Shadingfield, Beccles, Suffolk, NR34 8DL.

- 4.2. The proposed development comprises three metal-clad sheds approximately 5.1 metres in height to the ridge. The sheds would each measure 22.9m in width and 97.5m in length providing a total floor area of 6,698 sqm. Each shed is to be ventilated by 16 high speed ridge mounted exhaust fans, each with a short chimney providing an overall height of 5.7 metres, with gable end fans to provide supplementary ventilation in hot weather conditions. There are also 5no. 8.3m tall 20-ton capacity bulk feed silos.
- 4.3. Each poultry house would house some 47,000 broiler chickens. The chickens would be reared from day old chicks up to around 38 days old and there would be approximately 7.5 flocks per annum. Catching could occur at two periods at 32/33 days and 37/38 days depending on desired weight. Chickens would generally be removed during night-time hours to ensure welfare best practice. There would then be a 10-day period where the sheds are empty in between cycles.
- 4.4. Access would be gained in a location 750 m from the junction with the A145 and would require the removal of a section of hedgerow and a number of trees on Mill Lane to enable access for HGV's.

5. Consultations/comments

- 5.1. 97 letters of Objection raising the following material planning considerations:
 - Traffic
 - Impact on amenity - Smell, Noise, Outlook
 - Pollution
 - Dust
 - Impact on air quality
 - Ammonia - Methodology and conclusions of reports flawed. Wind direction stated is incorrect.
 - Public Health and safety
 - Highways - Mill Lane Unsuitable for HGV's, access unsuitable, no passing, tuning onto A145 dangerous.
 - Contamination - Land and water
 - Very large in scale
 - Impact on historic environment - Listed buildings/ Scheduled Monuments of Archaeological interest
 - Impact on wildlife
 - Impact on pub/holiday park
 - Overbearing
 - Traffic noise at unsociable hours
 - Light pollution
 - Landscape impact
 - Drainage
 - Impact on peace and tranquillity

- Intensive meat production is inappropriate in a time of climate emergency and extreme biodiversity loss and does not represent sustainable development
- Unsuitable location - Should be on an industrial site
- No benefits to residents of Shadingfield
- Transport assessment misleading as it states there would be no material increase in traffic. Historic date not relevant.
- Safety of walkers and horse riders and cyclists not considered.
- Neighbourhood plan consultation resulted in an overwhelming response to protect open spaces and green belt in the parishes and this proposal is in clear breach of residents wishes.
- Damage to highway by lorries
- Increase in vermin, flies, rats etc.
- Impact on community

5.2. The following non-material planning considerations were also raised:

- Welfare of animals
- De-value houses
- View
- Unethical
- Setting of precedent
- Wrong direction for farming in the 21st century

5.3. 3 letters of Support raising the following points:

- Less disruptive than previous operations on the land such as dairy farming
- Less HGV's than in the past
- Farmers need to diversify
- Now we are out of the common market we should start producing home grown food instead of importing from Europe

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Shadingfield Parish Council	13 June 2019	No response
Summary of comments: No comments made at this stage – Application suspended.		

Consultee	Date consulted	Date reply received
Shadingfield Parish Council	20 January 2020	26 February 2020
Summary of comments: Objection - See Appendix C for full Parish response		

Consultee	Date consulted	Date reply received
Shadingfield Parish Council	21 April 2020	4 June 2020

Summary of comments:

I write on behalf of Shadingfield, Sotterley, Willingham & Ellough (SSWE) joint Parish Council in respect of the above planning application. Councillors have examined the additional papers submitted by the applicant and his associates and wish to register Council's continued strong objection to this development.

Comparing the original Noise Impact Assessment dated 24 May 2019 to the revised paper dated 3 April 2020, it would appear that additional fans are being proposed for these sheds and that these will significantly raise the noise nuisance for residents. The proposed fence barriers and earth bund will not hide the development from view in any aesthetically pleasing way and, in its proposed form your consultant, Mr. Nick Newton, is of the opinion that the bund would likely be unstable and subject to fast erosion. We do not concur that the 2m high fencing and bund would mitigate any noise nuisance from 5m high extraction fans in any significant way for residents. Furthermore, moving the development north, as he suggests, would only aggravate the situation for the nearest residents.

At our extraordinary Parish Council meeting of 4th February 2020 to discuss this Planning Application (copy of minutes attached), the applicant's representatives were specifically asked about the timing of end of crop HGV movements but refused to commit on what time of day (or night) these might take place. On closer examination of the Noise Impact Assessment submitted, it is clear from section 5.7 that they expect there to be significant HGV activity and traffic between 20.00 and 07.00 hrs. While they have modelled noise emissions from the site for the nearest residents, no consideration has been given to the noise, disturbance, vibration and pollution arising from the HGVs using Mill Lane (the only point of access), passing within just a few metres of these residential properties. That the applicants were opaque about this issue is, in our opinion, indicative of the lack of integrity and openness of the information that has been submitted in this application and their communication with the local residents.

On a useful note, the Heritage Impact Assessment on the frontispiece and pages 15 and 16 includes pictures of Mill Lane, the narrow, single-track lane currently used by pedestrians, cyclists and horse riders. I urge you to examine these photographs and consider how safe and practical it will be for pedestrians and other users to share this pathway with heavy and regular HGV traffic.

None of the revised documents mitigate the planning policy issues the Council cited in its letter to you of 19th February, objecting to this application.

We understand that East Suffolk Council and its various committees are operating under difficult and unusual circumstances at this time, but would re-iterate that I or another representative of the Parish Council would like to make representations at the meeting of the Committee at which this application is expected to be decided. Please advise as soon as possible the date and protocols for this meeting.

Consultee	Date consulted	Date reply received

Willingham Parish Council	21 April 2020	No response
Summary of comments: No comment received		

Consultee	Date consulted	Date reply received
Willingham Parish Council	20 January 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Willingham Parish Council	20 January 2020	No response
Summary of comments: No comments received		

Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	13 June 2019	28 June 2019
Summary of comments: No objection		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	13 June 2019	20 June 2019
Summary of comments: No comments to make at this stage - Application suspended.		

Consultee	Date consulted	Date reply received
Network Rail	13 June 2019	5 February 2020
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
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Suffolk Fire and Rescue Service	13 June 2019	22 January 2020
<p>Summary of comments: No objection - Advice regarding the use of sprinkler systems and access to firefighting facilities and water supplies. It is highlighted that adequate provisions for fire hydrants is required</p>		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	13 June 2019	No response
<p>Summary of comments: No comments made at this stage.</p>		

Consultee	Date consulted	Date reply received
SCC Flooding Authority	13 June 2019	No response
<p>Summary of comments: No comments made at this stage.</p>		

Consultee	Date consulted	Date reply received
Historic England	19 June 2019	8 June 2020
<p>Summary of comments: No comments received at this stage.</p>		

Consultee	Date consulted	Date reply received
Natural England	27 January 2020	7 February 2020
<p>Summary of comments: No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Natural England's generic advice on other natural environment issues is set out at Annex A of their response.</p>		

Consultee	Date consulted	Date reply received
Historic England	21 April 2020	14 May 2020
<p>Summary of comments: Objections - The HIA does not accord with the requirements of paragraph 189 of the NPPF.</p>		

Consultee	Date consulted	Date reply received
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Suffolk County - Highways Department	21 April 2020	29 April 2020
Summary of comments: No objection subject to conditions.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	11 March 2020	11 March 2020
Summary of comments: Suffolk County Council as a highway authority maintains the position of requesting that swept paths are submitted for the junction of Mill Lane and the A145.		

Consultee	Date consulted	Date reply received
Suffolk County - Rights Of Way	20 January 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	20 January 2020	7 February 2020
Summary of comments: No objection - Highlighted the need for the applicant to obtain an Environmental Permit		

Consultee	Date consulted	Date reply received
Historic England	20 January 2020	14 May 2020
Summary of comments: Historic England objects to the application on heritage grounds. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 7, 8, 193 and 194. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.		

Consultee	Date consulted	Date reply received
Suffolk Fire and Rescue Service	20 January 2020	10 February 2020

Summary of comments:
Additional letter received removing the requirement for a fire hydrant condition.

Consultee	Date consulted	Date reply received
Network Rail	20 January 2020	No response

Summary of comments:
No additional comments received.

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	20 January 2020	No response

Summary of comments:
No additional comments received.

Consultee	Date consulted	Date reply received
SCC Flooding Authority	20 January 2020	22 January 2020

Summary of comments:
No objection subject to the submission of a detailed drainage strategy which can be required by condition.

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	20 January 2020	6 February 2020

Summary of comments:
General comments made in relation to access, ditch, surface water drainage and passing bays.

Non statutory consultees

Consultee	Date consulted	Date reply received
WDC Environmental Health - General	13 June 2019	No response

Summary of comments:
No comments made at this stage.

Consultee	Date consulted	Date reply received
Royal Society for The Protection Of Animals	13 June 2019	No response

Summary of comments:

No comments received.

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	13 June 2019	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Mr Nick Newton	19 June 2019	9 July 2019
Summary of comments: Internal - Comments included in main report.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology (Internal)	19 June 2019	9 July 2019
Summary of comments: Internal - Comments included in main report.		

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	3 February 2020	16 June 2020
<p>Summary of comments:</p> <p>The HIA takes a predictably narrow view on setting and relies heavily upon intervisibility; nevertheless, it is acknowledged by all parties that the site forms part of the setting of Moat farm a highly graded heritage asset. The site forms part of a very open landscape and can be seen from the footpath to the East of moat Farm. The proposal would be an unwelcomed industrialisation of this deeply rural landscape introducing large structures, external lighting and significant levels of HGV's and would represent a shift to a semi-industrial character with significant changes to character scale and intensity of land use.</p> <p>In agreement with HE that the proposal will result in harm to the setting of Moat Farm, the proposal will materially erode the tranquillity and character of the place thereby negatively impacting upon the significance of Moat Farm. The property is currently in a very poor condition and the Society is concerned that to permit this scheme will further undermine securing a sustainable future for this important historic site.</p> <p>This proposal does not provide clear justification as required by paragraph 194 of the NPPF and it has not been demonstrated why it cannot be minimised by alternative site selection.</p>		

Consultee	Date consulted	Date reply received
Design Council	21 April 2020	4 June 2020
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Landscape Team (Internal)	21 April 2020	No response
Summary of comments: Internal - Comments included in main report.		

Consultee	Date consulted	Date reply received
Design and Conservation (Internal)	21 April 2020	No response
Summary of comments: Internal - Comments included in main report.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	21 April 2020	No response
Summary of comments: Internal - Comments included in main report.		

Consultee	Date consulted	Date reply received
WDC Environmental Health - General	20 January 2020	10 February 2020
Summary of comments: Internal - Comments included in main report.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology (Internal)	20 January 2020	11 February 2020
Summary of comments: Internal - Comments included in body of report.		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	20 January 2020	No response

Summary of comments: No comments received
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Consultee	Date consulted	Date reply received
Royal Society for The Protection of Animals	20 January 2020	No response

Summary of comments: No comments received.

Consultee	Date consulted	Date reply received
Mr Nick Newton	20 January 2020	3 February 2020

Summary of comments: Internal - Comments included in main report.
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Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	20 January 2020	No response

Summary of comments: No comments received
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Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	13 June 2019	No response

Summary of comments: No comments received
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6. **Publicity**

The application has been the subject of the following press advertisement:

Category Major Application	Published 29 May 2020	Expiry 28 June 2020	Publication Lowestoft Journal
Category Major Application	Published 29 May 2020	Expiry 28 June 2020	Publication Beccles and Bungay Journal
Category	Published	Expiry	Publication

Major Application	24 April 2020	24 May 2020	Beccles and Bungay Journal
Category Major Application	Published 24 April 2020	Expiry 24 May 2020	Publication Lowestoft Journal
Category Environmental Impact Assessment	Published 31 January 2020	Expiry 1 March 2020	Publication Lowestoft Journal
Category Environmental Impact Assessment	Published 31 January 2020	Expiry 1 March 2020	Publication Beccles and Bungay Journal
Category Major Application	Published 21 June 2019	Expiry 12 July 2019	Publication Beccles and Bungay Journal
Category Major Application	Published 21 June 2019	Expiry 12 July 2019	Publication Lowestoft Journal

Site notices

General Site Notice	Reason for site notice: Environmental Impact Assessment Major Application Affects Setting of Listed Building In the Vicinity of Public Right of Way May Affect Archaeological Site Date posted: 24 April 2020 Expiry date: 24 May 2020
General Site Notice	Reason for site notice: Environmental Impact Assessment Major Application Affects Setting of Listed Building In the Vicinity of Public Right of Way May Affect Archaeological Site Date posted: 29 January 2020 Expiry date: 28 February 2020

7. Planning policy

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “*where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise*”.

7.2. Section 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

7.3. National Planning Policy Framework (NPPF) (2019)

7.4. National Planning Policy Guidance (NPPG)

7.5. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:

- WLP1.1 - Scale and Location of Growth
- WLP1.2 - Settlement Boundaries
- WLP8.21 - Sustainable Transport
- WLP8.24 - Flood Risk
- WLP8.28 - Sustainable Construction
- WLP8.29 - Design
- WLP8.34 - Biodiversity and Geodiversity
- WLP8.37 - Historic Environment
- WLP8.40 - Archaeology

8. Planning considerations

Principle of Development

8.1. Although there are no policies within the Local Plan directly related to agricultural development a strategic objective of the Local plan is to achieve sustained and resilient economic growth in towns and rural areas.

8.2. Paragraph 83 of the National Planning Policy Framework (NPPF, June 2019) states that: Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses.

8.3. Therefore, agricultural development and the expansion of existing agricultural business is supported in principle subject to compliance with other policies within the Local Plan and the NPPF.

8.4. In addition, the proposed poultry operation will require a permit under the Environmental Permitting Regulations (England and Wales) 2016.

8.5. Paragraph 183 of the NPPF highlights that "The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than

the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities".

Environmental Statement:

8.6. This development triggers the need for an Environmental Statement (ES) as it is Schedule 1 EIA development. In order to reach a reasoned conclusion on the 'significant effects' of the development on the environment the following matters have been identified within the scope of the ES.

- Odour and air quality;
- Noise;
- Drainage - Pollution prevention;
- Ecology;
- Landscape;
- Heritage

8.7. These matters were agreed prior to the submission of the ES with the Local Planning Authority in accordance with regulation 15 of the EIA regulations 2017. As highlighted within regulation 18 (5) the ES has been carried out by competent experts; the relevant expertise and qualifications of the authors of each section of the ES are highlighted in section 1.21. of the ES. It is also considered that the Local Planning Authority has or has access to sufficient expertise to examine the environmental statement as required by regulation 4 (5).

8.8. Other matters that were 'scoped out' of the ES, including the following matters. Although scoped out, these matters are material planning considerations which need to be considered in the determination of this application.

- Transport
- Archaeology
- Flood risk
- Access and Recreation
- Soil and Agricultural Land Quality
- Climate change adaptation
- Cumulative Effects - based on an assessment of other similar developments in the wider area.

Economic Benefits & Employment:

8.9. One of the Strategic Priorities and Objectives of the Local Plan (no. 5) is "To achieve sustained and resilient economic growth in towns and rural areas in order to support 5,000 new jobs in the District".

8.10. The economic benefits of the proposal have been queried by the Parish and other respondents to the planning application highlighting the fact that the poultry sheds would only result in the creation of 1no. full time employee; the applicant. Whilst this is correct, the applicant cannot run the facility single handed or in isolation. There are number of associated economic benefits which are listed below:

- In creating full time employment for the applicant, the poultry sheds also secure the ongoing financial viability of the farm and allow for a fourth generation of farming by the Merrells at West End Farm;
- The poultry houses at Shadingfield would serve the regionally important, £74 million Cranswick Chicken processing plant at Eye. The Eye processing plant employs up to 900 people and Cranswick employ over 2000 people in the region. National demand for chicken; Brexit; growing demand for low food miles; and animal welfare standards have resulted in opening the Eye processing plant in 2019;
- A local poultry shed construction company would build the sheds, with a likely construction period of 4 months employing up to 20 people at the busiest time of the build;
- Each of the 7 flocks per annum requires a number of external companies/staff, including and not limited to:
 - Local gas suppliers (for the heating of the sheds);
 - Shavings/ bedding supplier - likely from Stradbroke;
 - Feed from a regional supplier - likely from Hoxne;
 - Chick suppliers and van drivers to deliver birds;
 - At the end of each cycle - bird catchers in teams of 4 with 2 teams, 8 catchers total, are used to gather the birds for transport to the processing plant;
 - Local provider to dispose of the litter;
 - Local company to collect fallen stock; and
 - Local company to remove and dispose of wastewater.

8.11. Therefore, the proposal has much wider employment benefits than the one full time employee in isolation. The proposal would be part of a regionally important supply chain meeting a national demand.

Neighbour Amenity:

8.12. Policy WLP8.29 - "Design" of the Local Plan requires that development proposals protect the amenity of the wider environment and neighbouring uses. The impact of this proposal on amenity is an area of significant concern to the local community as can be seen within the representations made with respect to this planning application. The main potential sources of impact on amenity from this proposal will be in terms of odour and noise, which will be discussed in the following sections.

Odour & Air Quality:

8.13. An odour report "A Dispersion Modelling Study of the Impact of Odour from the Proposed Broiler Chicken Rearing Houses at West End Farm, near Shadingfield in Suffolk" by AS Modelling & Data Ltd is submitted within Appendix 3 of the ES.

- 8.14. The report highlights that the poultry houses would be ventilated by uncapped high speed ridge mounted fans, each with a short chimney, with gable end fans to provide supplementary ventilation in hot weather conditions. There are some isolated residences and commercial properties in the area surrounding the site of the proposed poultry houses at West End Farm. The closest residences are at: Moat Farm, approximately 185 m to the North-West; West End Farm, approximately 370 m to the West-North-West; Park Farm Bungalow, approximately 330 m to the South-East and residences in Willingham, the closest of which is approximately 470 m to the east.
- 8.15. Within this report odour concentration is expressed in terms of European Odour Units per metre cubed of air (ouE/m³).
- ouE/m³ is defined as the limit of detection in laboratory conditions.
 - At 2.0 - 3.0 ouE/m³, a particular odour might be detected against background odours in an open environment.
 - When the concentration reaches around 5.0 ouE/m³, a particular odour will usually be recognisable, if known, but would usually be described as faint.
 - 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.
- 8.16. Odours are typically grouped into three categories by their character: most offensive, moderately offensive, and least offensive. Intensive livestock rearing falls within the moderately offensive category.
- 8.17. The Environment Agency published H4 Odour Management guidance (H4), the following benchmark exposure levels are provided. The benchmarks are based on the 98th percentile of hourly mean concentrations of odour modelled over a year at the site/installation boundary. The benchmarks are:
- 1.5 ouE/m³ for most offensive odours.
 - 3.0 ouE/m³ for moderately offensive odours.
 - 6.0 ouE/m³ for less offensive odours.
- 8.18. The Environment Agency guidelines and findings from UK Water Industry Research (UKWIR) use the 98th percentile hourly mean; this is the hourly mean odour concentration that is equalled or exceeded for 2% of the time period considered, which is typically one year. The use of the 98th percentile statistic allows for some consideration of both frequency and intensity of the odours.
- 8.19. As odours from poultry rearing are usually placed in the moderately offensive category; for this study, the Environment Agency's benchmark for moderately offensive odours, a 98th percentile hourly mean of 3.0 ouE/m³ over a one year period, is used to assess the impact of odour emissions from the proposed poultry unit at potentially sensitive receptors in the surrounding area.
- 8.20. Within the report it states "Peak odour emission rates are likely to occur when the housing is cleared of spent litter at the end of each crop. There is little available information on the magnitude of this peak emission, but it is likely to be greater than any emission that might occur when there are birds in the house. The time taken to perform

the operation is usually around two hours per shed and it is normal to maintain ventilation during this time". It should be noted that as houses are cleared sequentially, this peak may not actually be higher than when all house are emitting odour during the crop.

- 8.21. At some distance from a source, it would be unusual if odour concentration remained constant for an hour and, due to air turbulence and changes in wind direction, short term fluctuations in concentration are observed.
- 8.22. Therefore, although average exposure levels may be below the detection threshold, or a particular guideline, a population may be exposed to short term concentrations which are higher than the hourly average. It should be noted that a fluctuating odour is often more noticeable than a steady background odour at a low concentration.
- 8.23. There are measures that can be taken to minimise odour production whilst the housing is being cleared of spent litter and it is considered that a detailed odour management plan is required that can be agreed by condition.
- 8.24. Although the magnitude of peak odour cannot easily be quantified, the report concludes that it is predicted that, at all nearby residences and commercial premises, the odour exposure would be below the Environment Agency's benchmark for moderately offensive odours, which is an annual 98th percentile hourly mean concentration of 3.0 ouE/m³. As can be seen in Table 3 taken from the Odour report most receptors will experience less than 1.0ouE/m³ which is defined as the limit of detection in laboratory conditions.

Table 3. Predicted maximum annual 98th percentile hourly mean odour concentrations at the discrete receptors

Receptor number	X(m)	Y(m)	Location/Name	Maximum annual 98 th percentile hourly mean odour concentration (ouE/m ³)
				GFS Calms Terrain
1	642802	285128	Moat Farm	2.41
2	642577	285159	West End Farm	0.88
3	642548	285242	West End Farm	0.79
4	643177	284605	Park Farm Bungalow	0.86
5	643288	284568	Park Farm	0.62
6	643421	284798	Willingham	0.82
7	643504	284805	Willingham	0.64
8	643479	284925	Willingham	0.80
9	643391	284981	Willingham	1.06
10	643480	285036	Willingham	0.77
11	643626	284746	Willingham	0.47
12	643659	284964	Willingham	0.49
13	643562	285109	Willingham	0.58
14	643334	285567	Moat Farm Bungalow	0.45
15	643495	285605	Moat Farm 2	0.33
16	643500	284355	Shadingfield	0.27
17	643443	284114	Shadingfield	0.18
18	643690	284338	Shadingfield	0.21
19	643517	284191	Shadingfield	0.19
20	643188	283984	Works	0.15

8.25. In terms of odour impact, it is considered that as peak odour events would only happen on seven occasions during the year and can be minimised by appropriate working practices, the proposal would not have a significant effect on neighbour amenity and would meet the requirements of Policy WLP8.29.

Noise:

8.26. The noise assessments submitted within the ES (Matrix Acoustic Design Consultants - Noise Impact Assessment: Acoustics Report M1901/R02b) examines the potential noise emissions from this development in terms of plant and transport activities within the concrete aprons; this has been conducted in accordance of BS4142:2014: 'Methods for Rating and Assessing Industrial and Commercial Sound'.

8.27. The nearest dwellings to the proposed poultry unit, labelled A - D in Figure 1, are approximately between 255m - 580m from the centre of the proposed development.

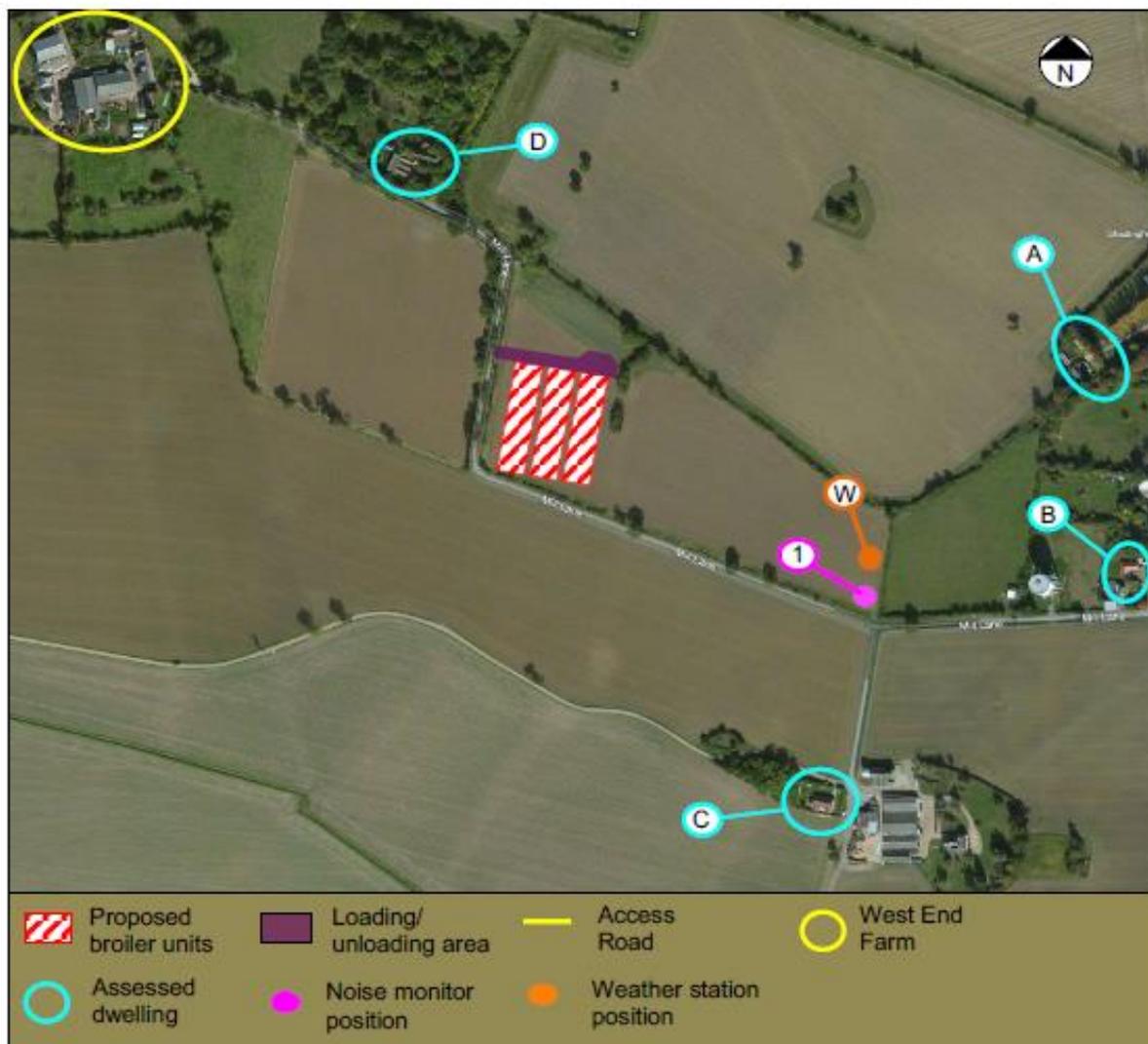


Figure 1. Plan showing footprint of proposed broiler units, assessed dwellings and noise monitor and weather station positions

8.28. For the noise impact assessment, the noise sources generated by the proposed scheme have been split into two categories, namely:

- 8.29. Plant noise: Each shed will have 16 ridge mounted Ziehl ECQ711-6 extract fans and 8 gable end Alfan 50" 1270mm extract fans (located on the south gable end). On the North gable end are 10 passive air inlets; these do not contain fans. There will be an unobstructed noise path between the ridge extract fan duct terminations, which will be 5.75m above local ground, and Dwellings A - D. The gable end fan grilles will be fully acoustically shielded from Dwellings A and D by the poultry sheds themselves. For the assessment attenuators fitted to the atmosphere side of each ridge extract fan that meet the insertion losses explained within the Acoustic report.
- 8.30. Transport noise (within the site): Transport noise includes commercial vehicles manoeuvring and loading/unloading on the concrete apron to the north of the poultry units. A diesel forklift will be used for the loading/unloading of HGVs. Vehicles will access the site via Mill Lane. The concrete apron will be fully acoustically shielded by the buildings themselves for Dwellings B and C.
- 8.31. From the noise data the typical day, evening and night background noise levels have been established as follows:
- Day (07:00 - 20:00hrs): LA90 34dB
 - Evening (20:00 - 23:00hrs): LA90 24dB
 - Night (23:00 - 07:00hrs): LA90 21dB
- 8.32. The above listed typical background noise levels, which are very low, are considered representative to those that will occur at dwellings A-D.
- 8.33. BS4142:2014 provides a methodology to assess the impact of industrial and commercial noise affecting dwellings, whereby the 'typical' background noise level is deducted from the industrial noise Rating Level.
- A difference of around +10dB or more is likely to be an indication of significant adverse impact, depending on context.
 - A difference of +5dB is likely to be an indication of an adverse impact, depending on context.
 - The lower the rating is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or significant adverse impact.
- 8.34. Without attenuation it has been demonstrated within the acoustic report that the noise impacts from the proposal would be as follows:
- Extract fans:
- Ridge and gable end extract fans (day period only): Very low to significant adverse noise impact

- Ridge extract fans only: 100% day, 50% evening and 25% night: negligible (Assessment Level <-10dB) to very low noise impact. 100% day, evening & night: negligible to low
- 8.35. Transport activities (manoeuvring and loading using a diesel forklift): low to significant adverse noise impact during the day and significant adverse noise impact during the night.
- 8.36. Taking into account the contextual considerations highlighted in section 5.7 of the acoustic report it is concluded that the noise impact of the transport activities at Dwellings A - C will be low day and night. At Dwelling D however there is potential for an adverse impact and consequently mitigation measures to address the transport noise emissions here are advised.
- 8.37. The operation of the gable end fans, which will normally only occur during periods of very hot weather, has been identified to potentially result in a significant adverse noise impact at Dwelling C (the noise impact at the other assessed dwellings is very low). It is therefore advised that mitigation measures are introduced to reduce the noise emissions of the gable end fans at Dwelling C.
- 8.38. Mitigation measures shown in figure 4:
- Transport activities: Provision of a 2m high noise barrier along the northern boundary of the concrete apron; Figure 4. With the provision of this measure, and taking into consideration context, officers consider the noise impact will be reduced to low.
 - It is also suggested to extend the barrier along the eastern boundary to reduce transport activity noise for both Dwellings A and B.
 - Gable end extract fans: There are two options available to sufficiently reduce the gable end extract fan noise emissions in order to achieve a low noise impact at Dwelling C, namely:
 - Install attenuators between the gable end fans and grille or;
 - Installation of a 2m high noise barrier running parallel to the south gable ends of the sheds.
- 8.39. In addition to the gable end fan noise mitigation measures it is proposed that the gable end fans will be disabled during the evening and night periods; there will however be an override mechanism as required for animal welfare in case of failure of the ridge fans.
- 8.40. Site management: A noise management plan is recommended within the conditions section of this report to ensure that good noise management practices are employed at this site.

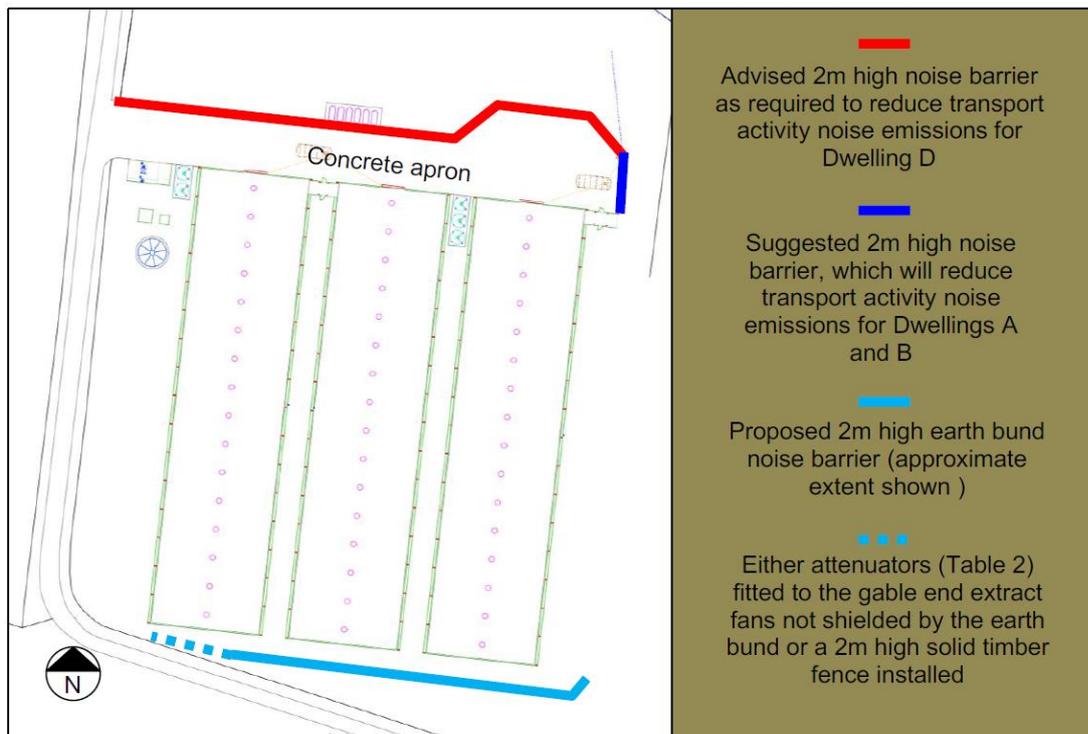


Figure 4. Plan showing advised noise barriers

- 8.41. Objectors of the proposal have highlighted that noise impacts from vehicular movements on the highway have not been taken into account. Although as highlighted in the Transport Assessment intensification in use of Mill Lane will increase, and some of this traffic will be during night-time hours, agricultural uses can generate varying amounts of traffic as can be seen historically at this site. Occupants will already be affected by traffic on the A145 of which there is no control and the frequency of vehicular movements generated by this development is at a very low level which will have minimal impact on neighbour amenity.
- 8.42. With the implementation of suitable mitigation measures as discussed in the acoustic report and highlighted above, it has been established that development will not result in an adverse noise impact at the nearest dwellings and is considered to comply with the requirements of policy WLP8.29.

Drainage and flood risk:

- 8.43. The site is situated in Flood Zone 1 (FZ1) and therefore has a low probability of flooding. As highlighted in National Planning Practise Guidance, sites of more than 1 hectare in size require a Flood Risk Assessment (FRA). Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate taking account advice from the lead local flood authority.
- 8.44. A Flood Risk Assessment (FRA) and Surface Water Drainage Strategy (SWDS) has been provided as part of the ES to evaluate the flood risk to the proposed development in addition to considering the impact that the development will have on the surrounding area.

- 8.45. The proposed development is located in fluvial and tidal Flood Zone 1 with very limited risk of surface water flooding, and at very low risk of groundwater flooding.
- 8.46. Planning Practice Guidance states that sustainable drainage system should aim to discharge surface water run-off as high up the following hierarchy of drainage options as reasonably practical:
- Into the ground (infiltration);
 - To a surface water body;
 - To a surface water sewer, highway drain or another drainage system;
 - To a combined sewer.
- 8.47. The SWDS has explained that the surface water runoff will discharge into a drainage system, designed to contain up to and including the 1 in 100-year rainfall event including climate change. To prevent pollution to the surface waters, underlying geology, and groundwater an appropriate level of water treatment stages has been incorporated into the design.
- 8.48. To reduce the risk of flooding due to the failure of the surface water drainage system over its lifespan, a maintenance scheme detailed should be adhered to.
- 8.49. The lead local flood Authority have assessed the SWDS and have noted that whilst the application is generally acceptable, there are some further details that still need to be established of which the submitted documentation proposes to do so as part of detailed design.
- 8.50. Section 6.4 of the FRA states infiltration testing will be completed post approval to confirm the viability of infiltration. Whilst infiltration should be viewed as a primary method for surface water disposal, the re-use of surface water should be above this. The proposed development would appear to have a significant need for water to wash down the sheds between use.
- 8.51. Although it is stated that the 're-use of water is unlikely' it is considered that the re-use of water for wash down could be met by rainwater harvesting, which should be assessed further as part of detailed design. A positive outfall and additional storage will need to be maintained in the event that any rainwater harvesting system is full at the time of a rainfall event.
- 8.52. Conditions are required in order to agree the final SWDS and maintenance of it. The provision of an appropriate drainage system will meet the requirements of Policy WLP8.24 and Paragraph 165 of the NPPF.

Ammonia:

- 8.53. "A Report on the Modelling of the Dispersion and Deposition of Ammonia from the Proposed Broiler Chicken Rearing Houses at West End Farm, near Shadingfield in Suffolk" by AS Modelling & Data Ltd. was submitted within Appendix 4 of the ES.

- 8.54. There are several areas that are designated as Ancient Woodlands (AWs) and/or Local Wildlife Sites (LWSs) within 2 km of West End Farm. There are two Sites of Special Scientific interest (SSSIs) within 5 km, namely, Titsal Wood, Shadingfield SSSI and Sotterley Park SSSI.
- 8.55. Parts of The Broads Special Area of Conservation (SAC) and Special Protection Area (SPA), Benacre to Easton Bavents Lagoon SAC & SPA and Minsmere to Warberswick Heath SAC & SPA are within 10 km of the farm.
- 8.56. Ammonia emission rates from the proposed poultry houses have been assessed and quantified based upon the Environment Agency's standard ammonia emission factors. The ammonia emission rates have then been used as inputs to an atmospheric dispersion and deposition model which calculates ammonia exposure levels and nitrogen and acid deposition rates in the surrounding area.
- 8.57. Ammonia in the air may exert direct effects on the vegetation, or indirectly affect the ecosystem through deposition which causes both hyper-eutrophication (excess nitrogen enrichment) and acidification of soils.
- 8.58. The background ammonia concentrations, Nitrogen and acid deposit rates have been obtained from the Air Pollution Information System (APIS, February 2019) and are highlighted within the ES.
- 8.59. Critical Levels and Critical Loads are a benchmark for assessing the risk of air pollution impacts to ecosystems. The Critical Levels and Critical Loads at the wildlife sites assumed in this study are provided in Table 3 of the Ammonia report.
- 8.60. The modelling predicts that, should the proposed development of the poultry rearing operation at West End Farm proceed, the process contribution to annual mean ammonia concentration would be below the Environment Agency lower threshold percentage and at all sites designated as SSSIs (only), the process contribution to annual mean ammonia concentration would be below the Environment Agency lower threshold percentage.
- 8.61. Natural England is a non-departmental public body. Their statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Based on the information submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes and have no objection to the proposal.
- 8.62. It is considered therefore that the proposal would comply with the requirements of Policy WLP8.34 - "Biodiversity and Geodiversity"

Ecology:

- 8.63. Chapter 6 of the ES relates to Ecology (Parker Planning Services, January 2020), which is accompanied by an Ecological Impact Assessment (EclA) (Bench Ecology, May 2019). The Council notes the conclusions of the consultants and those of the Ammonia Modelling Report (AS Modelling & Data Ltd, February 2019) and the comments made by Natural England and the Environment Agency in relation to potential ecological impacts. Based

on the information provided it has been demonstrated that the proposed development is unlikely to result in a significant adverse impact on designated sites, protected species or UK Priority species or habitats (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)), subject to the implementation of the mitigation measures identified in the EclA.

- 8.64. The proposed development will result in the loss of a short section of species poor hedgerow on the western boundary to create the vehicular access. This loss could be compensated by the planting of a new hedgerow on the eastern boundary of the site linking the southern boundary hedgerow to the short section of eastern boundary hedgerow that already exists. The details of this planting should be secured by condition, should permission be granted.
- 8.65. There also appears to be an area of land within the northern part of the site which is not proposed for development on the layout plan, it is not clear what the intended use for this area is however it offers the opportunity for the creation of rough grassland which would be of benefit for a range of species including invertebrates, amphibians and birds. The details of the creation and long-term management of this area should be included as part of the landscaping plan.
- 8.66. It is considered therefore that the proposal would comply with the requirements of Policy WLP8.34 - "Biodiversity and Geodiversity"

Landscape impact:

- 8.67. The application is supported by a Landscape and Visual Impact Assessment (LVIA) that is written in accordance with professional standards for such reports; its content has been reviewed by officers, including the Council's Arboriculture and Landscape Manager who has no objections to the proposed development. It should be understood that this is a straightforward landscape and visual assessment conclusion and is not arrived at on the same basis that Historic England will have come to their specific conclusions as regards the setting of the nearby Scheduled Ancient Monument, which are discussed in the heritage section which follows.
- 8.68. Local Plan Policy WLP8.35 - "Landscape Character" - sets out that: development proposals will be expected to demonstrate that their location, scale, form, design and materials will protect and where possible enhance their environment; and that proposals should include measures that enable a scheme to be well integrated into the landscape.
- 8.69. Section 15 of the NPPF considers the conservation and enhancement of the natural environment. Para 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst other things):
- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and

other benefits of the best and most versatile agricultural land, and of trees and woodland;

- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.
- Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

8.70. The three poultry sheds would be located in an almost north south orientation parallel to the western boundary, each measuring 22.86 x 97.536 in area, with a vehicular access point half-way along Mill Farm Road frontage, requiring the removal of a section of the Western boundary hedge. The buildings are low in height at 5.1 metres to the ridge, 5no. 8.3m tall 20-ton capacity bulk feed silos are also proposed.

Description of site:

- 8.71. Mill Lane is a single-track road with mature hedges on one or both sides. The site is part of an open field recently cut low and left fallow. There are high mature native hedges to the western, northern, and southern boundaries. The base of the hedges are wide and estimated to be over 3m.
- 8.72. The eastern boundary is open except for a short section in the North West corner. There are occasional mature oak trees with some ash, which provide prominent features in the landscape. Combined with the hedges they provide an effective screen to the west and North of the site and somewhat to the south where the hedge is lower in nature, with a gap at the south west corner.
- 8.73. In the North Western corner is a drainage pond on the boundary, as well as one to the north east. Both these areas of water are surrounded by native vegetation. Beyond the site to the east is a water tower which dominates the view. The site lies between the 30m and 35m contour. The site is approximately 2ha in size, is Grade 3 agricultural land and is generally flat.

Landscape Character:

- 8.74. The site is identified as being within the National Character profile South Norfolk and High Suffolk Claylands. The Suffolk Landscape Character Assessment has assessed the landscape of the county and identified thirty distinct types of landscape within it. The site falls within an area identified as Ancient Plateau Claylands. The site generally conforms to the landscape characteristics of this character area, particularly the field patterns and the association with hedges forming visual intimacy. The area formed part of Shadingfield Common, enclosed in the 19th century.

Assessment of landscape effects:

- 8.75. Assessment is made through understanding of the sensitivity and magnitude; assessing effects on the landscape as a resource in its own right. Assessment of visual effects through understanding of the sensitivity and magnitude; assessing effects on specific views and on the general visual amenity experienced by people which are shown in a table format shown within the LVIA.
- 8.76. Judgements on sensitivity are made by considering the susceptibility of the receptor to the type of change arising from the specific proposal; and the value attached to the receptor. The magnitude of the change is assessed. Magnitude includes the scale, the geographical extent and the duration or reversibility of the visual effects.
- 8.77. Overall effects are determined by making judgement about two components, the nature of the receptor likely to be affected 'sensitivity' and the nature of the effect likely to occur 'magnitude'. The effects are given an overall value taking the above into account. The overall values are major, moderate, minor and negligible and are given for the effects after one year and 10 years.
- 8.78. The report concludes that there will be minor to moderate adverse impacts after construction which will reduce to negligible to minor after 10 years subject to suitable mitigation, which would be required by condition.

Mitigation:

- 8.79. In terms of mitigation the report states that the design of the proposed development should be well-integrated into the landscape and maintain the quality of the transition between the developed and the rural landscape; the treatment of the site boundaries, will be key to maintaining and enhancing the quality of that transition. This should include the reinstatement of the Eastern boundary hedge which can be seen on historic aerial photos and provision of improvements to hedging within the site and on land controlled by the applicant. The Southern boundary will be required to substantially planted with native hedge species to fully enclose this corner, the mitigation measures required within the noise report relating to the gable end fans will also need to be incorporated into the area to the South of the building.
- 8.80. It should be noted that the mitigation is reliant on the retention of the existing natural vegetation site features. Recent hedgerow management around this site has taken place which comprised heavy reduction/coppicing of the hedgerows on the Western boundary of the site with Mill Lane. This practise complies with the requirements of the Hedgerow Regulations 1997; and indeed, is a useful exercise to carry out which will most likely see the regeneration of the hedges with renewed vigour and of a denser structure. However, in the short term, and subject to the timetable for building these sheds should planning permission be granted, there is a likelihood that there will be greater visual impact arising from the development for receptors in the immediate locality than may have been originally envisaged in the submitted landscape and visual impact appraisal. This should only be a short-term effect until such time as the hedges regrow and any new planting becomes established.

- 8.81. Residual impacts would be controlled by a Landscape Management Plan which should show a clear indication of who is responsible for the meeting of the commitments set out in the plan. The plan should cover 0-10 years after which management is to be fully reviewed.
- 8.82. On the basis of the conclusions of the LVIA and subject to the delivery of the mitigation and effective landscape management of the site and surrounding land it is accepted that the proposal can be achieved without significant landscape or visual harm and that the proposal would comply with the aims of the Local Plan policy WLP8.35 - "Landscape Character" and paragraph 170 of the NPPF.

Heritage:

- 8.83. This application proposes the construction of poultry sheds and associated development on a field close to the Scheduled Monument at Moat Farmhouse; Moat Farmhouse is Grade II* listed and stands on the Scheduled moated site and is part of an important medieval complex including the Scheduled Monument at West End Farm to the North West of the site. At West End Farm the scheduled area incorporates a moated site and associated earthworks.
- 8.84. Moat Farmhouse also includes a Grade II listed barn twenty metres south-west of Moat Farmhouse, all other pre-July 1948 buildings on the site are curtilage listed.
- 8.85. Section 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 states that:
- "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*
- 8.86. This statutory requirement is reflected in chapter 16 of the NPPF which sets out (inter alia):
- That heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance (para. 184);
 - That applicants should describe the significance of any heritage assets affected, including any contribution made by their setting (para. 189);
 - That great weight should be given to the conservation of heritage asset's and, the more significant the asset, the greater the weight should be (para. 193);
 - That any harm to, or loss of, the significance of a designated heritage asset (from development within its setting) should require clear and convincing justification (para. 194)
- 8.87. Policy WLP8.37 - "Historic Environment" of the Local Plan states that proposals for development should seek to conserve or enhance Heritage Assets and their settings and that all development proposals which have the potential to impact on Heritage Assets or their settings should be supported by a Heritage Impact Assessment (HIA) prepared by an individual with relevant expertise.

Heritage Advice sought:

- 8.88. The application has been advertised as affecting the setting of listed buildings and, because Moat Farmhouse is a Grade II* listed building and also because it stands on a Scheduled Monument, Historic England (HE) has been consulted on this application.
- 8.89. Views on the setting of designated heritage assets that are listed buildings have been sought from the LPA's Design and Conservation team and Historic England, in whose remits this falls. Views on the setting of designated heritage assets that are Scheduled Monuments have been sought from Historic England, in whose remit this falls. The LPA has no in-house expertise in the area of archaeology.
- 8.90. The HIA has been revised since submission in response to comments on it from Historic England. The revised version - dated May 2020 - plus the summary provided as an addendum to the Environmental Statement, also May 2020, have been used to form the views of the Local planning Authority and that of Historic England with respect to the heritage impact of the proposal. It is considered that the HIA meets the requirements of NPPF paragraph 189.

Summary of historic landscape character and Moat Farmhouse setting:

- 8.91. Of importance to note from the HIA's map regression is that the application site historically formed part of Shadingfield Common along its northern edge. The common was enclosed in the late 18th/early 19th century and the very carefully drawn outline of it on Joseph Hodkinson's map of 1783 (illustrated in the HIA) appears to have been lost, initially to multiple field enclosures and subsequently to field aggregation in the post-war period (the 'prairie' landscape of intensive arable production). The ancient boundaries of commons, where they survive, are precious and usually marked by a ditch and hedge that are noticeably more massive than others in the locality. Part of the ancient common boundary does actually form the northern edge of the application site and is of high historical importance: it appears to still survive and will be unaffected by the application proposals. Also, of note is the depiction on the 1783 map of a post mill situated in the top north-east corner of the common - historically, a number of post mills stood within or adjacent commons. Mill Lane, of course, derives its name from this now lost man-made landscape feature. Shadingfield hamlet, Moat Farm and West End Farm were part of the medieval common-edge pattern of settlement which is typical of the High Suffolk landscape. The majority of moats were laid in the 13th and 14th centuries on clay soils and are, therefore, much older than the replacement houses and farm buildings on them.
- 8.92. From this summary of the surrounding historic landscape character, it can be seen that the landscape setting to Moat Farm has changed significantly over 240 years or so. This also includes in terms of agricultural activity - from mixed in the medieval period to arable to animal husbandry to intensive arable. The evidence for stock production in the 19th century is the proliferation of field-edge ponds (now lost) on the 19th century tithe and Ordnance Survey maps and the increase in associated farm buildings at Moat Farm and West End Farm. The historic landscape setting to Moat Farm, therefore, has not been static but has been in a state of change and evolution over many hundreds of years, involving enclosure and then aggregation of fields, and changing agricultural practices including arable, pasture and livestock. It is considered that change is characteristic of

this landscape type and, in a sense, all that is settled and established about it is that surrounding landscape uses have all been associated with agricultural practices. This is evidenced by the fact that the wider landscape is one where farmsteads and hamlets form almost incidental features; this important characteristic is worthy of preservation.

Application site:

- 8.93. The application site does form part of the setting to Moat Farm - its farmhouse, barn and extant associated buildings (and moated site). It appears never to have been previously developed. It forms one modest part of the extensive farmed landscape that are the surroundings to Moat Farm. For this reason, it contributes to the significance of Moat Farm, as a farmstead is an integral part of its farmed landscape and both are indivisible. That is not to say that all parts of a heritage asset's setting will contribute equally in importance. For example, those parts onto which the principal elevation of the farmhouse overlook will have a higher degree of importance in terms of aspect and orientation. Those parts that shared ownership and use with the farmhouse will have a higher degree of importance through direct association - particularly so where that extends to the present day (or at the time of listing).
- 8.94. Thus, the application site contributes moderately to the significance of Moat Farm on the basis of its close physical proximity, its use as a field (for cattle grazing until recently) in a landscape of fields, and possible historical ownership - but not more than that, because it is not directly opposite the farmhouse and it is only a modest part of the wide landscape setting in actual measured area. On the ground, there is clear intervisibility between the moated site and the application site; and the two sites can be read together looking southwards from footpath No. 04 that runs along the eastern boundary of Moat Farm and which then branches off eastward just beyond. It is beyond dispute, therefore, that the application site forms part of the surroundings in which Moat Farm is experienced and, thereby, constitutes part of its setting.

Effect of proposed development on the setting of Grade II* Moat Farmhouse:

- 8.95. With regards to the application site, there are two ways in which the proposed development will change its contribution to the setting of Moat Farmhouse: through the change in the way that the land is being used; and by the addition of built form in connection with that. In respect of the former, poultry farming is an agricultural activity; and in respect of the latter, the built form will consist of agri-industrial sheds required for the agricultural activity of poultry rearing.
- 8.96. It is considered by the LPA that these two changes are entirely consistent with the characteristics of the historic landscape that forms the setting to Moat House that are identified above - that is, that the setting has changed over time but only ever in association with changes in agricultural activities; and, secondly, that these changes have, at times and in particular connection to the use of land for livestock, included the addition of buildings and the division of fields. Modern poultry sheds are simply the current face of this kind of production in the landscape - just as threshing barns, granaries and shelter sheds were in their time. It is just that no-one needs to build those sorts of traditional buildings anymore.

- 8.97. HE is of the view that although this landscape has changed in the centuries since the medieval period it remains as farmland without modern development and as such helps in understanding of the heritage assets and contributes to their historic significance. The proposed development would bring industrial style development to the landscape around the historic complex which would result in harm to the significance of the heritage assets.
- 8.98. Although the view of HE differs to that of the LPA with regard to the acceptability of built development on land that has previously only served as green fields under cultivation and the impact of such on the setting of Heritage Assets in the vicinity of the site, it should be noted that the comments from the LPA relate to the setting of the Grade II* listed farmhouse (C16th) and Grade II listed barn at Moat Farm (C18th), only. The scheduled sites at Moat Farm and West End Farm are designated heritage assets that are of archaeological significance of which they are the remit of HE.
- 8.99. It is considered by the LPA that there is no harm arising from this proposal in respect of the designated heritage assets that are Moat Farmhouse and its listed barn and curtilage listed buildings from this proposed development in their setting. Therefore, the relevant statutory test is met (s.66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990); and that the relevant NPPF tests at paragraphs 196 and 197 are not engaged.

Effect of the proposal on the Scheduled Monuments at Moat Farmhouse and Westend Farm:

- 8.100. HE has made several representations about this planning application, initially raising concerns in relation to the methodology used for the HIA and its suitability when considered against paragraph 189 of the NPPF. This has since been rectified with the amended HIA and associated addendum to the ES (May 2020).
- 8.101. HE has outlined the significance of the Grade II* listed Moat Farmhouse, its accompanying 18th century barn and other 19th century farm buildings which stand on a large and complex medieval moated site, a Scheduled Monument. They explained that West End Farm also has a major Scheduled medieval moat. Between West End and Moat farms there is extensive evidence of an abandoned medieval settlement, also Scheduled, and evidence that the settlement was linked with the site at Moat Farm.
- 8.102. HE is of the view that the HIA understates the value of the surrounding land as green fields under cultivation (a land use that has persisted for centuries) a feature that helps in the understanding of the heritage assets and contributes to their significance. The scale and material of these buildings is different to traditional agricultural buildings and brings an industrial style of development to the landscape around the historic complex. Whether they are screened by existing and additional planting would not remove the simple fact of building of this scale and type occupying part of the immediate setting of the heritage assets.
- 8.103. In view of the archaeological expertise of HE, officers accept their view that the development of the application site would result in harm to the significance of the scheduled moated sites and that the proposal would not preserve those elements of setting that make a positive contribution to this heritage assets.

- 8.104. As highlighted above the NPPF states that great weight should be given to the conservation of heritage assets and, the more significant the asset, the greater the weight should be. That any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. HE has highlighted that this weight and the justification for harm should be especially convincing where harm to assets of a high grade of designation is concerned, as is the case here.
- 8.105. The harm to the Scheduled moated sites would be 'less than substantial'. The test at paragraph 196 of the NPPF, therefore, is here engaged and this harm must be given great weight by the decision-taker and properly weighed against the public benefits of the proposal. For the purposes of this recommendation, that balance will be undertaken in the concluding section of this report.

Procedural matters:

- 8.106. Historic England can request that the Secretary of State (for Housing, Communities and Local Government) can direct that the application is referred to him for their decision instead of our planning committee. This can be done at any point up to the issuance of a planning decision. Once the formal permission or consent has been issued, the application can no longer be called-in. The Secretary of State may therefore put a temporary stop on the local planning authority issuing a planning permission whilst he or she is deciding whether to call it in. Generally, the Secretary of State will only consider the use of his call-in powers if planning issues of more than local importance are involved.

Transport:

- 8.107. Transport impacts were 'scoped out' from the ES as based on the connections this site has to the main highway network and the proposed number of additional vehicle movements created by this form of agriculture it was considered that the proposal was unlikely to have a significant impact upon highway safety and could be scoped out. Although 'scoped out' from the ES a Transport Assessment (TA) has been included within the application in order that the traffic and highways implications of the development can be properly considered.
- 8.108. Local Plan Policy WLP8.21 "Sustainable Transport" promotes (inter alia) development that is proportionate in scale to the existing transport network and requires that the cumulative impact of new development does not result in severe impacts on the highways network. Chapter 9 of NPPF provides clear guidance on considering development proposals:
- 8.109. Paragraph 108 of the NPPF requires that development proposals should ensure that safe and suitable access to the site can be achieved for all users and paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.110. The response to the publicity of this application has highlighted that traffic and highways impacts from this proposal are of significant concern to residents in the vicinity.

8.111. The TA notes that there are currently 124 traffic movements a year associated with West End Farm. Historically the farm has generated much higher levels of traffic without incident. Collision data confirms that no relevant collisions have taken place on Mill Lane, or at its junction with A145, over the most recent 20 years record period. Hence, the lane and its junction have an excellent accident record.

8.112. The chart below highlights the level of traffic generated by this proposal in vehicle numbers:

	Vehicles Per Crop	Vehicles per year
Gas & Shavings	4	35
Feed	14	96
Chicks	2	15
Birds	20	145
Litter	9	65
Carcass	5	36
Dirty Water	3	22
Total	57	414

8.113. Peak vehicle flows take place only over a period of two days per chicken production cycle, typically 6 -10 loads would be required at day 32-33 and at day 38-39, considering different weights of birds. There are seven cycles per year.

8.114. Therefore, with seven cycles each year the peak vehicle flows would take place on fourteen days of the year, and at a level of 20 vehicles per day (10 in + 10 out).

8.115. The table below accounts for all in bound vehicular movements associated with this proposal:

Movement Type	Vehicle Type	Vehicles per crop	Vehicles – Non-Crop time	Vehicles per year
Gas & Shavings	HGV	4		29
Feed in	HGV	14		96
Chicks in	HGV	2		15
Birds out	HGV	20		145
Litter out	HGV	9		65
Fallen stock out	LGV	5		36
Dirty water out	HGV	3		22
Staff*	Light van/car	76	91	638
External Management	Light van/car	Average 5.4	13	52
Totals		138.4	104	1098
<p>* Staff will be travelling from West End Farm Total number of movements (in and out) from main A145 - 920 Total number of movements (in and out) from West End Farm - 1276</p>				

- 8.116. Mill Lane is a lightly trafficked road which terminates to the West of the application site. Although there will be an intensification of traffic movements to that currently experienced, this would not be materially significant in terms of traffic flows along Mill Lane, at its junction with the A145 or to the wider network.
- 8.117. SCC Highways authority have expressed concerns, in particular with regard to the potential for HGV's to meet one another on Mill Lane or having to wait on the A145 for Mill Lane to be cleared. It has been suggested within the ES that this is most unlikely particularly that the lorries from the Cranswick facility have trackers to ensure that this does not occur. However, not all vehicles on Mill Lane will be from the Cranswick facility and the TA does not take into account other vehicles from the properties at the East end of Mill Lane. Also, with the intensification of the access on to the A145 there will be more instances where large vehicles will need to cross onto the other side of the carriageway to enter or exit mill Lane, the main risk will be exiting Mill Lane going North bound
- 8.118. With respect to this issue above the applicant has agreed to provide a passing place on Mill Lane and to provide a Delivery Management Plan in order to mitigate these risks.
- 8.119. Although the TA does not appear to consider more vulnerable users of the highway such as walkers, cyclist and horse riders, the estimated vehicular movements generated by this development are very low and the frequency of vehicles meeting such users of the public highway will be limited.
- 8.120. In view of the low level of vehicle flows and the lack of any identified, high accident areas, it is considered that there will not be any severe residual transport impacts or any material adverse impact on highway safety and highway capacity conditions. SCC as Local Highways Authority have not objected to the proposal. It is considered that the proposal accords with Local Plan Policy WLP8.21 and paragraph 108 and 109 of the NPPF and that this development should not be prevented or refused on transport grounds.

Archaeology (on site):

- 8.121. Policy WLP8.40 - "Archaeology" requires that an archaeological assessment must be included with any planning application affecting areas of known or suspected archaeological importance to ensure that provision is made for the preservation of important archaeological remains.
- 8.122. The site lies within the extent of the former Shadingfield Common (County Historic Environment Record SDG 012). Whilst archaeological evidence for occupation may be expected around the outside edges of the common (as is indicated by further HER records SDG 023 and 024), the sorts of activities which took place within it are likely to have left more sparse archaeological remains. There are also no indicators currently in the Historic Environment Record to suggest that the development has a high potential to have a significant impact on earlier remains. Therefore, it is not necessary to impose conditions relating to a programme of archaeological works should planning permission be granted.

Other matters:

Access and Recreation:

- 8.123. Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure.
- 8.124. There are no such opportunities in relation to this proposal. Although it is stated within the planning statement that Mill Lane does not appear to be recorded on the public register as a public right of way, Mill Lane is a public road of which pedestrians are entitled to use. The closest public footpath (04) is 200m to the north west of site (adjacent to Moat Farm), in all likelihood pedestrians would use Mill Lane to gain access between public footpaths. However, as highlighted with the transport section of this report, due to the very low traffic levels generated by this use this proposal would not impede access to the natural environment, as required by Paragraph 98 of the NPPF.

Soil and Agricultural Land Quality:

- 8.125. The application site has an Agricultural Land Classification of Grade 3, which is 'Good to Moderate'. Grade 3 agricultural land is not a high quality or scarce resource regionally and the layout is designed to retain as much of the remaining land holding for farming as possible. Accordingly, the proposal is considered acceptable in Soil and Agricultural Land Quality Terms and therefore complies with the requirements of paragraph 170 of the NPPF.

Contaminated land:

- 8.126. Although there is no assessment for land contamination submitted with the application; given the nature of the site and the proposed development, a condition dealing with any unsuspected contamination which may be encountered during development would be the most pragmatic way forward.

Climate change adaptation:

- 8.127. The Local Plan includes several policies relating to climate change; of relevance to this proposal are WLP8.24 – “Flood Risk”, Policy WLP8.27 – “Renewable and Low Carbon Energy” and Policy WLP8.28 – “Sustainable Construction”.
- 8.128. As already set out, the submitted Flood Risk Assessment concludes the development is in fluvial and tidal Flood Zone 1 with very limited risk of surface water flooding, as such the proposal will not exasperate the effects of climate change by increasing flood risk, in compliance with Policy WLP8.24 – “Flood Risk”.
- 8.129. The applicant has stated that they are considering the installation of roof mounted solar panels, although they do not form part of this planning application. As part of the detailed drainage strategy, to be agreed by condition, the suitability of rainwater harvesting is to be considered. If these measures were employed, they would assist in

reducing the electricity and water requirements of the poultry sheds and assist in district wide climate change adaptation.

- 8.130. The proposed poultry sheds are of energy efficiency design, primarily in respect of heat retention, which is essential for ensuring the correct climatic conditions for the birds, in compliance with Policy WLP8.28.

Reasonable alternatives:

- 8.131. Regulation 18 3 (d) of the EIA regs states that an ES must include a description of the reasonable alternatives studied by the developer, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment.
- 8.132. Within section 10 of the ES it is explained that the developer (Merrells growers Ltd.) considered other options in terms of siting and orientation of the units on land within the agricultural holding. The proposal evolved from the 'first layout' to the West of Mill Lane to the 'second layout' to East of Mill Lane and the orientation was rotated 90 degrees to the position as proposed within this application.
- 8.133. In this case the poultry shed design and location has progressed in response to odour, animal Welfare and the potential for effects on nearby dwellings. Although it has been highlighted by objectors that the second option is closer to the majority of residents of the village, the site is still a considerable distance from residential properties and this site does take the proposed building further from the Scheduled sites of which forms the basis for the Historic England objection.

Permitted development:

- 8.134. The applicant has suggested that a 1000 sqm building could be constructed on the land for the housing of livestock. However, within the GPDO this restricts buildings for the housing of livestock when within 400 metres of a protected building, defined in the order as "a permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed". The closest residence is at Moat Farm, approximately 185 m to the north-west.
- 8.135. It is accepted though that a large building of significantly greater height could be constructed on this site without the requirement for planning permission, but without a clear and realistic permitted development fallback position, this is a matter that can be given only very limited weight when determining the application.

Welfare of animals:

- 8.136. Although a large proportion of the representations relate to matters of animal welfare, including a petition from the PETA Foundation - (People for the Ethical treatment of Animals) and representation from Compassion in world farming, this is not a material planning consideration and other legislation deals with such matters.

- 8.137. The Code of practice for the welfare of Meat chickens and Meat breeding chickens is made under the Animal Welfare Act 2006. The principle legislation referred to in this Code are the Welfare of Farmed Animals (England) Regulations 2007 and the Mutilations (Permitted Procedures) (England) Regulations 2007, which implement Council Directive 98/58/EC concerning the protection of animals kept for farming purposes and Council Directive 2007/43/EC which lays down minimum rules for the protection of chickens kept for meat production.

9. Conclusion

- 9.1. Although there are no direct policies relating to agricultural development in the local plan, a strategic objective of the Local Plan is to achieve sustained and resilient economic growth in towns and rural areas in order to support 5,000 new jobs within the district.
- 9.2. Paragraph 83 of the NPPF also encourages the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and the development and diversification of agricultural and other land-based rural businesses.
- 9.3. An ES has been submitted with the application (as required by Schedule 1 (17) (a) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017), the content of which meets the requirements of Regulation 18 to enable the Local Planning Authority to reach a reasoned conclusion on the likely significant effects of the development on the environment as required by Regulation 18 4 (b) and Regulation 26 1 (b) of the regulations. The Local Planning Authority have sufficient expertise or the necessary access to such expertise to examine the environmental statement as required by regulation 4 (5).
- 9.4. Detailed reports were included within the ES with regard to noise and odour/air quality which are primary impacts from this type of intensive livestock production that have the greatest potential to effect neighbour amenity, which are of significant concern to the community. In terms of odour the modelling predicts that, at all nearby residences and commercial premises, the odour exposure would be below the Environment Agency's benchmark for moderately offensive odours, which is an annual 98th percentile hourly mean concentration of 3.0 ouE/m³.
- 9.5. In terms of noise any adverse impacts highlighted within the noise report from vehicular movements within the site or from the ridge and gable ends fans can be successfully mitigated. It has therefore been demonstrated that the amenity of neighbouring uses is adequately protected as required by Policy WLP8.29.
- 9.6. The buildings themselves, although very large in floor area (6,698 sqm), are low level buildings with a ridge height of 5.1m. The LVIA submitted within the ES concludes that there will be minor to moderate adverse impacts after construction which will reduce to negligible to minor after 10 years subject to suitable mitigation, which would be required by condition. On the basis of the conclusions of the LVIA and subject to the delivery of the mitigation and effective landscape management of the site and surrounding land, it is accepted that the proposal can be achieved without significant landscape or visual harm

and that the proposal would comply with the aims of the Local Plan policy WLP8.35 - "Landscape Character" and paragraph 170 of the NPPF.

- 9.7. Another area of significant objection is the suitability of Mill lane to accommodate additional numbers of HGV's. In view of the low level of vehicle flows, and the lack of any identified, high accident areas, it is considered that there will not be any severe residual transport impacts or any material adverse impact on highway safety and highway capacity conditions. SCC as Local Highways Authority have not objected to the proposal. It is considered that the proposal accords with paragraph 108 and 109 of the NPPF and that this development should not be prevented or refused on transport grounds.
- 9.8. As highlighted in the Heritage section for this report Historic England have objected to this proposal and have identified that the proposal would result in harm to the significance of the Heritage Assets of the Scheduled Monuments at Moat Farm and West End Farm. The harm to the Scheduled moated sites would be 'less than substantial'. The test at paragraph 196 of the NPPF, therefore, is here engaged and this harm must be given great weight by the decision-taker and properly weighed against the public benefits of the proposal.
- 9.9. Planning Practise Guidance highlights that public benefits could be anything that delivers economic, social, or environmental objectives as described in the National Planning Policy Framework (paragraph 8). In this case it is explained earlier in the report that the proposal would be part of a regionally important supply chain meeting a national demand, contributing to the national economy as well as the local rural economy in terms of associated job creation.
- 9.10. The NPPF is also a material consideration and sets out that: significant weight should be placed on the need to support economic growth and productivity (paragraph 80); and that planning decisions should enable the development and diversification of agricultural and other land-based rural businesses (paragraph 83b);
- 9.11. It is thus considered that the NPPF position on building a strong, competitive economy is very supportive of the development proposal, which should be given significant weight. The proposal is also supported by the economic growth ambitions outlined in both local and regional strategies (the East Suffolk Growth Plan, the East Suffolk Business Plan, the Suffolk Growth Strategy and the Norfolk and Suffolk Economic Strategy).
- 9.12. Officers are aware that there are significant concerns from the public with a number of issues to consider. Weighing all of the issues, giving great weight to the harm to the setting of the Scheduled monuments, and with regard to all matters raised through the consultation process, officers consider that the economic benefits of the proposal, of which significant weight should be given, outweigh the harm that would arise from the proposal.
- 9.13. In considering the likely significant effects from this proposal as highlighted by the topics within the ES, it is considered that it has been demonstrated that any impacts from the development can be adequately mitigated and the harm identified to the Heritage Assets in the vicinity of the site are outweighed by the public benefit of the proposal.

- 9.14. In considering whether to grant planning permission it is considered that the requirements of regulation 26 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 have been properly considered as demonstrated within this report. Thus, planning permission should be granted.

10. Recommendation

AUTHORITY TO APPROVE, subject to no new material planning objections being received within the prescribed consultation period, and subject to the following conditions:

11. Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing numbers AWM-006 Rev 4, 103 Rev 2 and 105 Rev 1 received 31 May 2019 and 107 Rev 1 received 07 June 2019 and 108 Rev 1 received 15 January 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained

4. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

5. The development hereby permitted shall not be operational until details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

6. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - i. Temporary drainage systems
 - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Impact Assessment (EclA) (Bench Ecology, May 2019).

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

8. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

9. External lighting will be limited to single LED floodlights above the main vehicular access doors to each of the Poultry Sheds, the Bird Store and the Admin block, and wall mounted circular LED luminaires (with integral emergency light to provide safe entry/exit from the building) above personnel doors. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

10. No part of the development shall be commenced until details of the access (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to occupation. Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

11. Before the development is commenced details of the areas to be provided for purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

12. Prior to first use of the facility a passing place be laid out and constructed in its entirety in the position as shown in 'location 1 of the aerial view plan in accordance with SCC Drawing No. DM06. The passing place shall then be retained in the condition as approved.

Reason: To ensure that the passing place is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

13. All HGV traffic movements associated with the proposal will be subject to a Delivery Management Plan (DMP) which shall be submitted to and approved in writing by the Local Planning Authority a minimum of 3 months prior to use. No HGV traffic movements shall be permitted to and from the site other than in accordance with the DMP.

Reason: To reduce and / or remove as far as is reasonably possible the likelihood of HGVs meeting on Mill Lane and reducing the impact on the A145 junction with Mill Lane.

14. The gable end fans situated on the Southern elevations of the buildings shall be disabled during night-time hours (2300 - 0700) and shall therefore be non-operational during these times. The override mechanism is only to be activated in the instance that the ridge fans fail in order to safeguard the welfare of the livestock.

Reason: In the interest of the amenity of occupiers of residential properties within the vicinity

15. Prior to the commencement of the development full details and specifications of the proposed method for attenuation of the gable end fans on the Southern elevations of the

buildings shall be submitted to and agreed in writing by the Local Planning Authority. The use shall not commence until the approved mitigation measures have been implemented and thereafter managed and maintained in accordance with the approved details.

Reason: In the interest of the amenity of occupiers of residential properties within the vicinity

16. Prior to first use of the buildings a two metre high acoustic barrier shall be constructed on the Northern and Eastern boundaries of the concrete apron in the location as shown in figure 4 of Page 12 of the Noise Impact Assessment by Matrix Acoustic Design Consultants - Acoustics Report M1901/R02b; it shall be constructed in accordance with the specification as described in section 5.8 of that report. The Acoustic barrier shall thereafter be retained and maintained to that specification.

Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.

17. Prior to first use of the buildings attenuators shall be fitted to the ridge fans in accordance with the details within section 5.5 of the Noise impact Assessment by Matrix Acoustic Design Consultants - Acoustics Report M1901/R02b in order to achieve the minimum insertion losses highlighted within table 2 of the Noise Assessment in section 5.5 of that report. Thereafter the attenuators shall be retained and maintained in a condition that will enable them to continue operating in accordance with the details highlighted in section 5.5 of the above report.

Reason: In the interest of the amenity of occupiers of residential properties within the vicinity

18. Prior to commencement of the development a Noise Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The facility shall then be operated in accordance with the agreed Noise Management Plan.

Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.

19. Prior to the commencement of the development an Odour Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The facility shall then be operated in accordance with the agreed Odour Management Plan.

Reason: In the interest of the amenity of occupiers of residential properties within the vicinity.

20. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. Prior to first use, a detailed landscape maintenance and management plan shall be submitted to and approved in writing by the Local Planning Authority. The landscape maintenance and management plan shall be implemented in accordance with the agreed details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maximise the long term biodiversity value of the landscaping.

21. The landscaping scheme shall be completed in the autumn (October -December) planting season following completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

Reason To ensure a satisfactory appearance within the landscape

22. Prior to the construction of the admin block, details of all external facing and roofing materials shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory external appearance of the development.

23. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

24. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be adhered to throughout the construction period. The Management Plan shall provide details of:

- a. Loading and unloading of plant and materials;
- b. Storage of plant and materials used in the construction of the development;
- c. Materials/plant delivery times;
- d. Construction times;
- e. Parking for construction workers and visitors;
- f. Wheel washing facilities; measures to control the emission of dust and dirt during construction;
- g. A scheme for recycling/disposing of waste resulting from construction works.

Reason: In the interests of amenity and highway safety due to the potential conflict between construction traffic, new residents and the users of the leisure centre.

25. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. . Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
 - . Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
 - . Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment is subject to payment of a surface water developer contribution

Background information

See application reference DC/19/2195/FUL at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PSBKLJQX07400>

Committee Report: Appendices

Appendix A: Minutes of site meetings held on **Wednesday, 19 August 2020** commencing at 9.55am at Land adjacent to West End Farm, Mill Lane, Shadingfield

Members Present:

Councillors Paul Ashdown (Chairman), Jocelyn Bond, Norman Brooks, Jenny Ceresa, Tony Cooper, Linda Coulam, Graham Elliott, Andree Gee, Malcolm Pitchers and Craig Rivett

Officers Present:

Liz Beighton (Planning Manager – Development Management), Joe Blackmore (Principal Planner – Development Management), Sarah Carter (Democratic Services Officer) and Iain Robertson (Planner – Development Management)

The site visit was undertaken in accordance with the Council's Constitution which set out details of the arrangements for site visits by Members associated with planning applications during the Covid19 pandemic.

The site visit was undertaken in four bubbles comprising:

1. Councillors Cooper, Coulam, Elliott, Rivett
2. Councillors Brooks, Ceresa
3. Councillors Ashdown, Bond, Gee
4. Councillors Ashdown, Pitchers

Each bubble of Committee Members was accompanied by the Planner and Democratic Services Officer. The Planning Manager and Principal Planner were on-site, at a distance, to photograph the views the Members were shown on a pre-planned walking route. The photographs would be shown at Committee so that it would be possible to follow the identical route that was taken by the four bubbles.

The purpose of the site meeting was a 'fact finding' exercise only and to provide Members with an opportunity to view the site and its surroundings.

The Planning Manager reminded those present that there should be no questions on site. Questions should be emailed to the Planning Officers so as to ensure answers and any additional information that needed to be obtained was available for publication when the application was reconsidered by the Planning Committee North.

Members were provided with a plan of the site location showing the site itself, other land under the Applicant's control, and the location of footpaths, farms and dwellings in the vicinity. The second plan showed the site layout of the proposed sheds, silos and office building.

Members walked a route from the meeting point along Mill Lane towards the water tower and village, and observed views from several stopping points including:

- The proposed development site and its access.
- The positioning of the buildings.
- Trees forming the eastern boundary where landscaping improvements were being requested by condition.
- The likely location of a passing bay.
- The location of the site compared to the A145 London Road.

Members then returned past the meeting point and joined a footpath from Mill Lane past Moat Farm and the scheduled monument site turning east along the footpath that led towards the village of Shadingfield. Members observed views from several stopping points including:

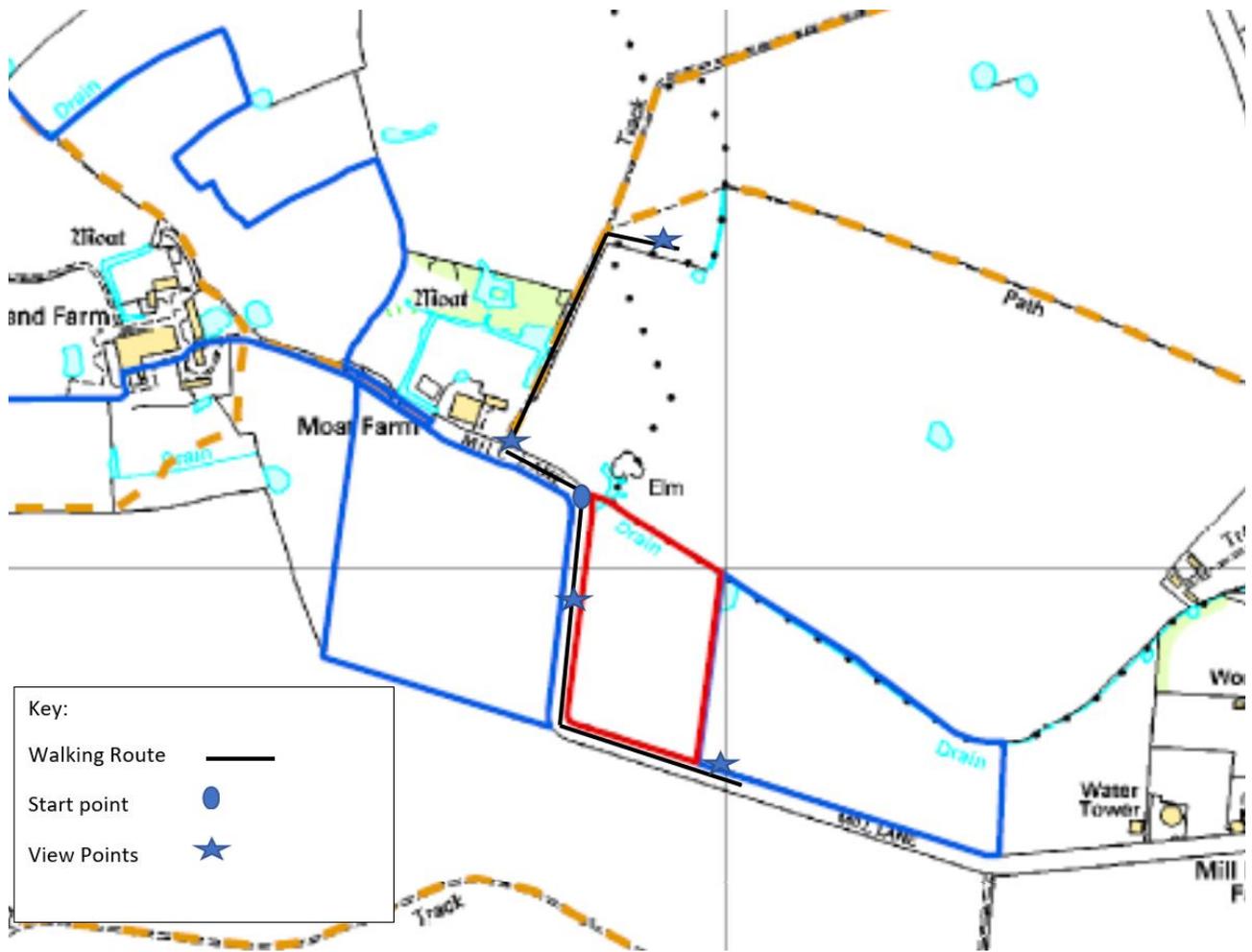
- Moat Farm, a Grade II* listed building.
- The Grade II listed thatched outbuildings associated with Moat Farm.
- The moat associated with Moat Farm.
- The boundary of the scheduled monument site and the second scheduled monument site in the ownership of Westend Farm, both of which formed part of a former settlement.
- Views from the northern boundary footpath looking across the ploughed field(s) south to the development site.
- The northern footpath that led to the village and public house.

Comments made and clarification sought during the site visits covered the following:

- Mill Lane was a dead end reaching Westend Farm.
- The buildings were 5.1m in height and the silos 8m.
- The green lines on the site layout plan on the northern edge of the site was likely to be a bund.
- The extra planting that was proposed on the eastern boundary.
- The amount of the screening between the site and Moat Farm.
- Details of lorry movements – these were contained in the officer’s report.
- The Parish Councils’ call-in would be considered by the Secretary of State once the Planning Committee North had made its decision.
- Westend Farm was located on an historic site.
- No trees were at risk.
- Moat Farm was not in the Applicant’s ownership.
- The height of the proposed silos compared to the one in the distance adjoining Park Farm.
- The purpose of the deep ditch, presumably for drainage, that was along the side of Mill Lane where the passing bay was being proposed.

The site visits concluded at 2.45pm.

Appendix B: Walking route



Appendix C: Original Representation from Shadingfield, Sotterley, Willingham & Ellough (SSWE) joint Parish Council

Planning reference: DC/19/2195/FUL

Re: Application to build 3 poultry sheds, admin block and feed bins on land adjacent to West End Farm, Mill Lane, Shadingfield, Beccles; applicant Mr. Daniel Merrells, Merrells Growers.

I write on behalf of Shadingfield, Sotterley, Willingham & Ellough (SSWE) joint Parish Council in respect of the above planning application. Councillors have examined the plans and know the site well. SSWE joint Parish Council wish to object strongly to the development of these sheds in this location.

Shadingfield is classed as a smaller village in a rural area (East Suffolk Council [ESC] Waveney Local Plan [WLP] Policy WLP7.1). The landscape is classified as Farmed Plateau Clayland, the area concerned falling specifically under the landscape character area of Saints Plateau – East. The WLP states that the strategic objectives for this area are to conserve and enhance the small-scale landscape structure, retain the dispersed rural character... and maintain the tranquil character of the area. **The proposed development fails to meet this objective. The scale of the development would dominate the landscape in this area and the increase in heavy goods traffic along Mill Lane, along with the noise and pollution from this development, would be a major and ongoing disruption to the tranquility of the area.**

National Planning Policy Framework (NPPF)

The NPPF Para 83 d states that Planning policies and decisions should enable the retention and development of accessible local services and community facilities such as ... open space, cultural buildings, public houses. **Objection: the proposed development breaches this policy. The proposed development will adversely affect public use of the footpaths and bridleways that are currently accessed from Mill Lane and adjacent to the proposed site, specifically the increase in heavy goods traffic that will pose an increased risk to pedestrians, cyclists and horse riders and the noise, odour and other pollutants will make it a route to be avoided. The proposed site lies very close to Moat Farm House, a Grade II* listed building. The prevailing winds will carry dust, odours and noise directly onto the Shadingfield Fox Public House, making the garden of the pub less attractive to use for most, and impossible for those with any kind of respiratory condition. The use of the garden by customers is a significant revenue stream for the pub. The Landlord of the pub has explicitly told the Chair of the Parish Council that if he were to lose use of the beer garden in the summer, the pub will close since it will no longer be financially viable.**

NPPF para 84 states that ... 'it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport)'. **Objection: The proposed development is not sensitive to its surroundings and will make this location less sustainable. Access on foot, by cycle and on horseback along Mill Lane and the surrounding footpaths will deteriorate significantly with the unacceptable and ongoing increase in heavy goods traffic.**

NPPF section 15 is concerned with conserving and enhancing the natural environment; para 170 states that 'Planning policies and decisions should contribute to and enhance the natural and local environment, specifically a) protecting and enhancing valued landscapes... b) recognizing the intrinsic character and beauty of the countryside ...and e) ... Development should, wherever possible, help to improve local environmental conditions such as air and water quality...'. **Objection: The proposed development will be only detrimental to the natural and local environment of our village and will be a visual blight on our landscape. Air and water quality will not be improved by this development; indeed, it will have an adverse effect on our air and water quality. At a Parish Council meeting on the 4th February the applicant's representatives confirmed that the extracted air from the chicken sheds is unfiltered, so all the dust, dander, feathers, other micropollutants and bacteria, odours and ammonia will be released untreated into the atmosphere and will blow over the village.**

East Suffolk Council - Waveney Local Plan (WLP)

Policy WLP8.35 is concerned with Landscape Character and states that proposals for development are expected to demonstrate their location, scale, form, design and materials will protect and where possible enhance:

- The special qualities and local distinctiveness of the area:
- The visual and historical relationship between settlements and their landscape settings;
- The pattern of distinctive landscape elements ...;

- Visually sensitive skylines and significant views ...;

Proposals should include measures that enable a scheme to be well integrated into the landscape and enhance connectivity to the surrounding green infrastructure and Public Rights of Way network. **Objection: In no way could the proposed development be considered to enhance the area. It will have an unacceptable impact on the landscape to the west of Shadingfield and Willingham village and will seriously impact the tranquil nature of the neighbourhood. It will be out of character with the local landscape and skylines and will destroy views from the surrounding public rights of way and footpaths. It is not 'well integrated' into the existing landscape, but has been located where it will have the least impact on the home of the proposer. If permitted, this development will have a material detrimental effect on neighbouring residents and businesses and the village as a whole.**

Policy WLP8.37 concerns the Historic Environment and covers the Council's commitment to work with partners, developers and the community to protect and enhance the District's historic environment. **Objection: The proposed site is less than 100m from a Grade II* listed building (Moat Farmhouse) and a Scheduled Monument (Moated site at Moat Farm) at its western boundary. Moat Farmhouse is also on the Buildings at Risk register. The proposed development will have an unacceptable impact on the setting of these local heritage assets.** The policy also states that development proposals which have the potential to impact on Heritage Assets or their settings should be supported by a Heritage Impact Assessment; at the time of writing, this does not appear on the list of documents available on your website for this application.

Shadingfield, Sotterley, Willingham & Ellough Neighbourhood Plan (SSWE NDP)

The SSWE NDP is being developed in consultation with the community and ESC and this proposed development does not fit with the emerging NDP. The vision for the SSWE Plan is for a thriving and vibrant rural community, retaining its current character, with the traditional buildings, tranquil countryside and natural environment being maintained and protected. **Objection: The proposed development does not accord with this vision.**

SSWE NDP Objective 2: To protect and enhance the rural character and tranquility of the parishes, including the traditional buildings, green spaces and natural environment for wildlife'. **Objection: The proposed development does not meet this objective; as an example of the applicants attitude to the protection of the natural environment for wildlife, the ecology report on the planning application website prohibits the removal of hedgerows, trees or shrubs between 1st March and 31st August inclusive to ensure the protection of nesting birds. An entire hedgerow bordering the site has very recently been cut down to around 18-20 inches, thus rendering it uninhabitable for any wildlife bar insects and the smallest mammals. While this is not prohibited, it is not in the spirit of responsible land stewardship or the NDP. Unfortunately, this hedgerow would also have provided some screening of the site from the adjacent right of way; it will now be fully visible.**

SSWE NDP Objective 4: To encourage and support the development of low impact employment opportunities...'.

Objection: The proposed development could not be considered to be low impact and provides no employment opportunities to the wider community; the applicant is the sole local beneficiary of this development. The impact on the local residents and business (The Shadingfield Fox public house) is an unacceptable price to pay for one job.

SSWE NDP Objective 8: To promote unobtrusive low carbon energy consumption projects and renewable forms of energy. **Objection: There appears to have been no attempt to address the carbon footprint of this development. There is no suggestion of using sustainable energy or materials in its construction and operation.**

SSWE NDP – Policy NEP1 – 'Protecting Wildlife Habitats and Open Spaces' states that:

'Future development should retain the existing landscape character and tranquil rural nature of the parishes.'

Objection: The proposed development does not fit in with the existing landscape character and would be more appropriately sited on an industrial estate; there is nothing that warrants this development being sited in a rural environment since the chickens will be confined throughout their lives. They are brought in as day old chicks, by truck, to be housed in industrial style chicken sheds with no natural light, flooring or food. The food is brought in by truck, and the birds are removed by truck to the processing plant. These truck movements (over 20 HGV journeys a day when the birds are being removed for slaughter, plus food and chicks brought in, removal of 'fallen' birds – estimated to be 125 a day, plus removal of the birds' excrement at the end of each cycle) does not accord with the residents of Mill Lane continuing to enjoy the rural nature of the parish. This disruption also applies to the walkers and horse riders who regularly use Mill Lane to access the footpaths and bridleways in the surrounding area, including the East Suffolk Pathway.

SSWE NDP – Policy HEP1 – 'Protecting and Enhancing Heritage Assets' states that:

- All new development should take account of its impact on identified heritage assets, both designated... and non-designated..., seeking to protect and where appropriate, enhance them and their setting. Development schemes which do not demonstrate how they have positively addressed these heritage assets will not be supported.

- New development should be sensitive to the character, fabric and setting of these identified heritage assets and listed buildings.

The western boundary of the proposed site is less than 100m from a grade II* listed building (Moat Farmhouse) and a Scheduled Monument (moated site at Moat Farm). Moat Farmhouse is also on the Buildings at Risk Register.

Objection: The proposed development does not accord with the above policy; it is visually inappropriate to be placed so close to such an important heritage asset and the vibration and pollution arising from the HGV traffic is likely to cause further deterioration and damage to an already fragile asset. The ammonia that will be released from this proposed development, when mixed with the diesel fumes from the increased HGV traffic create an acid environment that will be detrimental to this Heritage asset.

SSWE NDP – Policy STP1 – ‘Traffic’ states that:

Proposals for new developments should identify the level of traffic they would generate and the impact of such developments on pedestrians, cyclists and road safety and include measures to mitigate adverse impacts. New developments should not create a significant potential risk or be detrimental to the safety of the highway network.

Objection: The proposed development does not accord with this policy. The site is along a very narrow lane which has no footpath but is heavily used by walkers. The Transport statement provided to support the application is disingenuous, to say the least, referring only to the total number of movements, averaged out to the number of movements per day, whereas the reality is that there will be several days in each of the 7 or 8 annual growing cycles where journeys to and from the site will be upwards of 20. If these take place during daylight hours along this narrow lane that has no footpath, the risk and disruption to pedestrians, cyclists and horseriders is unacceptable.

SSWE NDP – Policy BEP1 – ‘Business Development states that:

...development of agriculture related businesses will be supported provided that such developments:

- Are consistent with maintaining the rural character of the villages;
- Will not cause visual, aural or olfactory disturbance to local residents.

Objection: this large industrial style development is not in keeping with the rural character of the village. A meeting of the Parish Council on 4th February was attended by the applicant and the developers he is working with; their responses to questions from residents and the Parish Council were not reassuring on the subject of noise or olfactory disturbance and it seems inevitable that, were this application permitted, there would be noise and smell arising from the chicken sheds affecting local residents. Furthermore, the residents of Mill Lane would have noise disturbance from the increase in HGV traffic along this single track lane. Again, at the meeting, the developers were unable to say what time of day this traffic would be heaviest, but indicators are that removal of the birds for slaughter generally takes place at night. This would cause an unacceptable nuisance to the residents of Mill Lane.

Waveney Green Infrastructure Strategy [WGIS]

The WGIS section on Rural areas of the district recognizes the importance of wildlife corridors and habitats and hedgerows. It also recognizes that people living in the rural parts of the district have less access to formally recognized areas, but that public rights of way enable access to the open countryside and this reduces the effect of this perceived shortfall. As such, WDC encourage public access to semi-natural and rural areas. **Objection: Mill Lane is heavily used by walkers, some of whom will be using it to access the East Coast Line National walking path. The large volume of HGV traffic on Mill Lane will be a deterrent to walkers who use this route. Furthermore, the pollution from the site will be a deterrent to walkers using the surrounding footpaths.**

The WGIS also recommends that

- Existing ecological corridors within rural settlements and the adjacent countryside should be protected for their wildlife value and their contribution towards the character of rural settlements.

WDC are also one of the stakeholders charged in the WGIS with protecting and enhancing biodiversity across the district.

Objection: The proposed development will pose a hazard to the existing wildlife of the area. The site is an area where there are a number of high level predators, including kestrels, sparrowhawks and barn owls. This installation will attract vermin, namely rats, which are likely to be controlled with poison. This poses a threat to these high level predators principally from them eating poisoned rodents. The increased traffic and pollution will also have a negative effect on the surrounding hedgerows and countryside. In short, this development can only have a detrimental effect on the surrounding ecology and biodiversity.

WGIS also recommends that existing open spaces be protected from encroachment and development ... to ensure ... continued value to the community. The benefit of this is to “Ensure the value of existing open space is maintained for

current residents and is protected for the community in the future” and WDC are identified as being responsible for the delivery of this.

Objection: The proposed development will only diminish the value of the area to the community and far from protecting the community in the future, is potentially a ‘gateway’ project that will further industrialise our local rural landscape.

Waveney Landscape Character Assessment [WLCA]

The WLCA 12.19 states that Key strategic objectives are to conserve and enhance the relatively small scale landscape structure and associated historic landscape character. Settlement is small in scale of a dispersed rural character, and should be conserved, in order to retain the tranquil character of the area.

Objection: The proposed development will in no way conserve or enhance the landscape and fails to meet this objective. The tranquility of the village will be destroyed for the residents of Mill Lane, who will bear the brunt of the HGV traffic to and from the site. The village has already seen an increase in HGV traffic along the A145 from the opening of the Beccles by-pass, and this is accepted as our part in the nature of progress and change, but Mill Lane and its junction with the A145 are unsuitable for the HGV traffic which will be required during the four month construction period and the traffic arising from the operation of the proposed facility. There will be an unacceptable impact on the walkers, cyclists and horse riders who use Mill Lane at present and enjoy the tranquil character of this area and the surrounding footpaths and bridleways.

The WLCA 12.22 states that Considerations in relation to development include the need to conserve and enhance the existing wooded settings and low-key approaches to the areas of settlement, such as narrow rural lanes and grassy, tree lined verges. Development should retain the rural character of the landscape and make reference to indigenous vernacular materials.

Objection: The proposed development demonstrates no consideration for the existing setting, nor is it in keeping with the rural character of the landscape. Mill Lane already suffers from damage to its grass verges and this will be greatly exacerbated by the proposed increase in HGV traffic.

Other Issues

Traffic

Mill Lane is a single track rural lane with no passing places and no footpath. It is currently used mostly by ramblers, dog walkers, horse riders and local residents visiting neighbours or using the lane to access nearby footpaths when taking exercise. The new HGV traffic will pose a serious risk to these pedestrians during the day and an unacceptable disturbance to the residents of Mill Lane both during the day and at night. The site is also close to public footpaths where the scale of the buildings would be clearly seen and the size and height of the sheds and feed bins would be visible for miles around, blighting what is presently unspoilt countryside. Turning into and out of Mill Lane is easily accomplished in a car, however longer articulated vehicles will either use the entire width of the A145 or complete the turn in two attempts. This type of turning presents an increased risk to traffic on the A145.

Animal Welfare and Sustainability

The proposed development will produce the lowest quality chicken meat that can be commercially produced legally in the UK – Intensive, indoor reared broilers. MPs (and society in general) are currently calling for the abandonment of this type of farming. We are a nation moving towards improved animal welfare and eating less meat. East Suffolk’s own environmental policy urges us all to eat more meat free meals or higher welfare meat. **This proposal does not accord with this policy.**

Waste Disposal

At the public meeting on 4th February (see below), the developers were unable to provide details of their policy for disposing of the manure and other waste from the rearing sheds, other than to say it would be spread on land or sent to power stations. No further information is provided in the documentation. Disposal of the manure on land has the potential to create considerable nuisance because, according to the developers, the manure smells more and releases more ammonia when wet. This has not been taken into account in the odour modelling studies.

Code of Good Agricultural Practice (COGAP)

Ammonia emissions will contribute to the acidification of local water sources with potential effects on biodiversity and the water table. The UK Government has agreed to reduce ammonia emissions by 8% in 2020 and 16% by 2030 (source www.gov.uk/COGAP). If this application is permitted, it will only increase ammonia emissions in the area.

Economic considerations

The proposed development will bring no economic benefits to the village; no meaningful increase in employment will be generated since the sole employee for this development is stated as the applicant who is already resident in the village. It seems inevitable that this development will, in fact, have a detrimental effect on the Shadingfield Fox as the

proximity to the sheds and being in the path of the prevailing wind will make using the garden less pleasant at best and impossible at worst. Mr Mills, the landlord of the Fox, has stated that if the garden becomes unusable the pub will close with the loss of 8 - 10 jobs. The revenues generated from the garden in the summer months (when the noise and smell arising from the development will be at their worst) are critical to the business and without this revenue stream the pub will no longer be a viable business.

I note that there is a short e-mail of support for this application on the website, where we are urged to 'produce home grown food instead of importing from Europe'. I don't know when I last saw a 'European' chicken in a supermarket or butcher's shop, so while the author's sense of patriotism is admirable, it is somewhat irrelevant to this application. Furthermore, there is no difficulty finding British chickens in the shops, so this application cannot be considered to be 'filling a gap in the market'.

Technical Data

Much of the information included in the application is of a highly technical nature, particularly with regard to the Noise Impact Assessment, the modelling of the Odour impact, and dispersion and deposition of ammonia. Not surprisingly, the joint Parish Council does not have the expertise to challenge these assessments and we would therefore ask that WDC rigorously reviews and tests the modelling work that has been undertaken. On a superficial level, there are a number of inconsistencies between the various reports put forward, specifically on the distance of the proposed development from neighbouring buildings, the increased levels of traffic, and the patterns of the prevailing winds asserted in the various reports. We consider that the suggestion there will be no impact on the village is simply wrong. The prevailing wind in Shadingfield/Willingham comes from the South West and this will take the odour and pollution from this development over many residences along London Road and the Fox Public House for much of the time.

Public Health

The technical data notwithstanding, it seems that the survival of the chickens and any people in the sheds are dependent on industrial fans constantly drawing fresh air into the sheds and expelling, unfiltered, the used and polluted air. It seems logical that this constant release of toxic air from the sheds will have an adverse impact on the air quality of the village and the health and wellbeing of those living in its environs.

Public Meeting to discuss the Planning Application

On the 4th February, the Parish Council held a public meeting specifically to gather the opinions of local residents. The meeting was well attended with 50 people registering attendance plus 7 councillors and a stand-in clerk. The applicant was present with a number of members of his family plus representatives of the businesses he is collaborating with on this application. The meeting took the form of:

- Introduction by the Chair outlining purpose and procedure
- Indicative vote of all those in favour of, objecting to, undecided/abstaining
- Statements from the floor (limited to 3 minutes per person)
- Questions and Answers session
- Comments/statements from Councillors
- Public vote
- Council's vote.

The main areas of concern raised by residents were

- Noise pollution, both from the site and the increased HGV traffic on Mill Lane
- Air pollution, from the operation of the facility and from the increased HGV traffic on Mill Lane
- General impact on the health, both physical and mental, of the residents in the community
- Impact on property values;
- Impact of the increased traffic on Mill Lane, both on pedestrians currently using and residents, including concerns about safety; the ability of HGV traffic to safely turn into and out of Mill Lane onto the A145 and pass oncoming traffic on Mill Lane
- Concern that quiet enjoyment of their homes and gardens will be adversely affected
- Concern for the impact of the development on the local rural environment and wildlife
- Concern that the development could result in the closure of the Shadingfield Fox public house.

Feelings were clearly running high but the meeting was generally orderly and everyone had an opportunity to speak and ask questions of the applicant's representatives (Mr. Merrells chose not to make a statement at the meeting). The public vote at the end of the meeting was recorded as

- In support of the application – 5

- Against the application – 40
- Abstentions – 3

The Council voted

- In support of the application – 0
- Against the application – 6
- Abstention – 1

Summary

The overwhelming feeling in the community is that this development should not be permitted. The development is not supported by current planning guidelines and policy. It will not benefit this small and close-knit rural community and will only be detrimental. Furthermore, it puts one of our critical amenities, namely the Shadingfield Fox, at risk of closure with the accompanying loss of jobs. The Joint Parish Council urges you in the strongest possible way to refuse this application; allowing it to proceed will have a catastrophic effect on our community who will bear the true cost of this in order to benefit one individual and a large corporate entity who seek to exploit our community for profit with no regard for the welfare or opinions of residents.

Further Action

If this application is to be decided by councillors, please take this as notice that I (or another representative of the Parish Council) would like to speak at the meeting of the committee at which this application is expected to be decided. Please advise as soon as possible the date and location of the meeting.