

## **Committee Report**

**Item No:** 7D

**Reference:** DC/21/06824

**Case Officer:** Mahsa Kavyani

**Ward:** Stradbroke & Laxfield.

**Ward Member/s:** Cllr Anders Linder

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## **RECOMMENDATION –GRANT PLANNING PERMISSION WITH CONDITIONS**

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### **Description of Development**

Planning Application - Erection of 6no poultry houses with associated admin blocks, feed bins and ancillary development. (EIA Development)

### **Location**

Land At Fennings Farm, Pixey Green, Stradbroke, Suffolk

**Expiry Date:** 03/10/2022

**Application Type:** FUL - Full Planning Application

**Development Type:** Major Large Scale - All Other

**Applicant:** C E Davidson Farms Ltd.

**Agent:** Mr Jonny Rankin

**Parish:** Stradbroke

**Site Area:** 3.5 hectares

**Density of Development:**

Gross Density (Total Site): N/A

Net Density (Developed Site, excluding open space and SuDs): N/A

**Details of Previous Committee:** Please note below.

**Has a Committee Call In request been received from a Council Member (Appendix 1):** No

**Has the application been subject to Pre-Application Advice:** No

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application has returned to committee for the following reason/s:

- Following committee on 1<sup>st</sup> March 2023, there was uncertainty about whether all members had sufficient opportunity to access all amended documents and information.
- The planning history did not include one related case which has now been included.
- During the committee, new but minor information emerged from the applicant that had not been part of the formal submission, this was in relation to the operation cycle, clarification has now been sought and the information is outlined within committee report.

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CLASSIFICATION: Official

For the reasons stated above, and having regard to practical considerations including the need for efficient decision-taking and complete transparency, the application is reported to committee.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
CS02 - Development in the Countryside & Countryside Villages  
CS03 - Reduce Contributions to Climate Change  
CS05 - Mid Suffolk's Environment  
GP01 - Design and layout of development  
H16 - Protecting existing residential amenity  
T10 - Highway Considerations in Development  
T09 - Parking Standards  
CL08 - Protecting wildlife habitats  
CL13 - Siting and design of agricultural buildings  
CL14 - Use of materials for agricultural buildings and structures  
CL15 - Livestock buildings and related development  
CL17 - Principles for farm diversification

### **Joint Local Plan Policies**

LP14 - Intensive Livestock and Poultry Farming  
LP22 - New Agricultural Buildings  
LP26 - Water resources and infrastructure  
LP23 - Sustainable Construction  
SP10 - Climate Change

Additional guidance and relevant documents:

- Environmental Permitting (England and Wales) Regulations (2016);
- Conservation of Habitats and Species Regulations (2017);
- Habitats Directive;
- Countryside and Rights of Way Act 2000;
- Natural Environment and Rural Communities Act (2006);
- Environmental Protection Act (1990);
- Wildlife and Countryside Act (1981);
- Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations (1999); and
- National Planning Policy Framework.
- National Planning Policy Guidance

### **Neighbourhood Plan Status**

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:-

Stage 7: Adoption by LPA

Accordingly, Stradbroke Neighbourhood Plan has full weight.

Below policies are relevant and directly apply in this case:

- POLICY STRAD1: DEVELOPMENT STRATEGY AND PRINCIPLES
- POLICY STRAD2: DESIGN PRINCIPLES
- POLICY STRAD4: UTILITIES PROVISION
- POLICY STRAD5: FLOOD MITIGATION
- POLICY STRAD11: HISTORIC ENVIRONMENT & DESIGN
- POLICY STRAD12: LIGHT POLLUTION
- POLICY STRAD13: EMPLOYMENT PROVISION

### **Consultations and Representations**

During the course of the application Consultation and Representations from third parties have been received. These are summarised below:

#### **A: Summary of Consultations**

[Click here to view consultee comments online](#)

#### **Parish Councils (Appendix 3)**

**Stradbroke Parish Council** latest response in summary (submitted 08 Jun 2023):

Richard Buxton Solicitors have acted on behalf of Stradbroke Parish Council and provided an extensive objection letter which is out of scope of this report to include, as it is 18 pages long, I'd invite you to review the full letter via online portal, using the reference number DC/21/06824:

<https://planning.baberghmidsuffolk.gov.uk/onlineapplications/search.do?action=simple&searchType=Application>

For the purposes of this report, please note below which is the conclusion section of the said letter:

The odour assessment report and supporting material has been reviewed to assess its compliance with guidance and good practice. The assessment uses a well established modelling technique to predict odour concentrations at nearby receptors. The approach to the modelling has been to assume what was considered to be a worse case odour emission rate exists throughout the year for the roof mounted fans. The emissions from the two other main odour sources, the gable end fans and the litter clearance from the shed have not been modelled, but this was considered by the authors of the report to have been unlikely to have affected the overall conclusions of the modelling because of the apparent worse case assumptions made for the roof mounted fans (i.e. continuous operation at the "maximum" odour emission rate and no allowance for periods when the houses are empty between cycles).

However, when the assumptions made in the modelling are examined in more detail, they appear to result in operational parameters that are well outside the normal range of operation for poultry houses:

- the resulting odour concentration in the houses is around 10-15% of that reported in other studies, including one reported by the Environment Agency. Odour concentrations of around 3000 ouE/m<sup>3</sup> would be expected at the end of the cycle but the calculated values in the shed are around 350 ouE/m<sup>3</sup>.
- the number of air changes per hour in the sheds is higher than that reported elsewhere. Both these factors suggest that either the ventilation rate assumed is too high, or the odour emission rate is too low (or a combination of both). If these parameters are not correct then the inputs used for the modelling were not appropriate and the results are invalid.

The odour emission rate used has been obtained from an Environment Agency source but appears to be an average value across the rearing cycle when compared with an alternative method of calculating emissions. The alternative methods result in much higher (more than four times) odour emission rates towards the end of the rearing cycle (but very similar “average” odour emission rates). Thus, it appears that the odour emission rate used does not represent the peak odour emission rates at the end of the rearing cycle. This results in the assumption made in the report – i.e. that the gable end fans and litter clearance odour emissions can be discounted - being no longer appropriate. This is also likely to have resulted in an underestimate of the predicted odour concentrations. There are some discrepancies in the building dimension information detailed in the report and the measured values from aerial photos and from the plans provided. The heat exchangers proposed are reported to provide some odour reduction and a value of 33% reduction has been used in the report.

However, it appears that the odour reduction actually achieved is variable and the applicants now state that the final type of heat exchanger has not been determined. A suggested condition was prepared by the applicant’s agent but this does not provide any commitment to achieve 33% odour reduction or to demonstrate this level of reduction through monitoring. Should the planning authority choose to rely on the odour assessment report, then the proposed condition requires amendment to ensure the required odour reduction performance of the selected heat exchangers.

**Horham & Athelington Parish Council (submitted 24 Feb 2022)**

1) HGV Movements and Cumulative Impact

Current Situation HGVs associated with the Cranswick (Crown) poultry feed mill, which is situated in Denham, currently route through Horham travelling east to Stradbroke and beyond and south to Worlingworth and beyond, transporting poultry feed to Cranswick’s large network of intensive poultry units in the region; the HGVs return via the same routes. Horham residents have noticed a significant increase in the number of HGVs travelling through the village within the last two years, since Crown Milling began operating from the site in Denham and it must be pointed out that the poultry feed lorries have been witnessed travelling in both directions through the village, not, as claimed in the applicant’s Environment Statement (S5.43) that: “... Denham Mill operates a one-way system with traffic routing in via Hoxne and leaving toward Horham via Fennings Farm.” The B1117 runs through Horham and is not a designated HGV route on the SCC Lorry Route Network. In fact, HGVs travelling between Horham and Stradbroke have to negotiate a tight double bend just outside the Horham village 30mph sign which necessitates HGVs crossing the central white line on the bends. In addition, increased HGV movements on the route between Horham and Stradbroke have been a major contributing factor to the collapse of the high roadside bank near the bridge over Chickering Beck in 2020, where the road width is narrower. Temporary traffic lights had to be installed by SCC Highways, as only a narrow section of the carriageway was passable and remained in place for over a year (between late 2020 and 2021) until finally being removed in December 2021. However, this stretch of road is on an incline and frequently experiences water run-off from adjoining fields during periods of heavy rain, which in turn causes road surface water to rapidly course downhill towards the Beck. This, in addition to increasing HGV movements will lead to further erosion of the roadside bank and will become an ongoing problem and potential road safety hazard.

## Proposed HGV Movements

With regard to planning application DC/21/06824, the Parish Council notes that S5.41 of the Environment Statement states: "The following elements and their location are offered as informative and based on existing contracts (they are of course subject to the market and contracts in the event of planning permission): Feed – Denham Mill (30%) and Kenninghall Mill (70%)". Given the applicant's caveat in brackets and the fact that Denham Mill is situated closest to the application site, it is safe to assume that 30% of the additional 674 HGV movements of feed per year will represent the minimum increase in HGV traffic through Horham and surrounding villages. Denham Mill (Crown Milling) acquired an Environmental Permit in 2021 to increase the production of poultry feed, resulting in nearly 20,000 HGV movements a year. The growing number of HGVs associated with this business, travelling through Horham, has had a detrimental impact on the living conditions of local residents on The Street, especially with regard to the enjoyment of gardens and outdoor space, where conversations are curtailed when two or three lorries pass in quick succession. An increase in HGV traffic associated with this planning application will have a further detrimental impact on the amenity of residents of Horham. The Environmental Statement S2.8 Table 2 includes the following SCC Highways (31.3.21) recommendation in the Scoping Report: "The application should consider any impacts the additional traffic generated by the development will have on the highway network when the facility is in production...." "A Transport Management Plan will also be required. Once the details are supplied, mitigation may be required on the existing highway within surrounding villages; including Eye Town centre." The Parish Council is of the view that the applicant's Transport Assessment does not provide adequate analysis of the cumulative impact of HGV movements on routes between surrounding villages, specifically Horham and including Denham, Stradbroke and Hoxne. The Transport Assessment does not address how highway safety issues highlighted by Denham Parish Council (concerning the significant increase in the volume of HGVs accessing and leaving the poultry feed mill in Denham and the resulting detrimental impact on the amenity of residents and rising highway safety concerns), Stradbroke Parish Council (concerning restricted two-way HGV movements and the impact on highway safety on Queen Street) and Hoxne Parish Council (concerning the number of vehicle collisions along Chickering Road (B1118) Hoxne, near the entrance to the Depperhaugh Care Home – see SCC Highways Report, November 2019) can be mitigated. With regard to the SCC Highways Report on Chickering Road (B1118), it should be noted that HGVs transporting poultry feed to and from the mill in Denham, access and exit the B1118 via a junction near the Depperhaugh Care Home, by way of a single carriageway, narrow lane, classified 'C' road, also known as Chickering Road. According to the SCC Highways report there were seven collisions in the 5 year period to 2019, two classified as 'serious' near the entrance to the Depperhaugh Care Home. The applicant's Environment Statement (S5.25) states that "Links or junctions that exhibit 1 accident per annum are considered to be significant" and continues "Taking this into consideration, it is therefore considered that there are no existing highway safety issues on the local highway network". S5.26 "... there are no highway safety issues that the development is expected to exacerbate." The Parish Council is of the opinion that the proposed development will exacerbate the highway safety issues already identified by Denham, Hoxne and Stradbroke and will exacerbate the problem of roadside erosion on the stretch of the B1117 between Horham and Stradbroke. The planning application does not identify how the proposed development will meet the requirement of NPPF para.110(d) and is contrary to Policies CL15 and CL17 of the Local Plan.

## Waste

The Parish Council wishes to bring attention to the fact that there is a lack of information concerning the destination of waste from the application site. The Variation to the Environmental Permit for the facility states: "Litter will be exported from the installation. Records will be kept of the quantities and the date of transfer, for example to a power station for recovery or third party for spreading on land and the names and addresses of the receiving farms." The removal of waste litter from the application site will generate significant numbers of HGV movements and if not destined for power stations, will be spread on land (unspecified in the supporting documentation for the planning application) which does not belong to the applicant. Legal judgement in the cases of *Squire v Shropshire Council* and *Keating v East Suffolk Council* requires that the land destined for the spreading of poultry waste must be identified, for direct and indirect

environmental effects to be properly assessed. This lack of information concerning the removal of waste (both poultry litter and waste water) reinforces the Parish Council's view that the applicant's Transport Assessment does not provide adequate analysis of the cumulative impact of HGV movements on routes between surrounding villages, specifically Horham and including Denham, Stradbroke and Hoxne. 3) Water usage This planning application will have a very high demand for water. Whilst high water consumption by the poultry meat processing factory on Eye Airfield has been accounted for in the Water Cycle Study (2020), the high demand for water by an increasing number of intensive poultry units supplying the meat factory have not. Moreover, the Statement of Common Ground between BMSDC and Essex & Suffolk Water (2020) makes clear that that Essex & Suffolk Water "is unable to provide water in the current ...plan period for new non-domestic processing activities" and that to be able to support such 'non domestic' water consumption would "require investment in infrastructure or water transfer, which would unlikely be operational until 2027". This planning application may put residential development plans at risk but the issue has not been addressed in any of the supporting documentation for the planning application.

#### Summary

Whilst not a formal consultee, Horham & Athelington Parish Council wish to object to planning application DC/21/06824, on the basis of concerns relating to planning matters outlined above.

#### **Fressingfield Parish Council (submitted 08 Jun 2023)**

Support - The council recommends approval of this application.

#### **National Consultee (Appendix 4)**

**Historic England:** No comments

#### **Natural England:**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

**The Environment Agency submitted 19 Jul 2023:** No specific comments were made.

**Essex and Suffolk Water (Northumbrian Water):** Objections, however this can be overcome by way of the recommended condition below:

We have recently published our draft water Resources Management Plan 2024 (dWRMP24) for consultation Our Plan forecasts supply and demand for the next 25 years and beyond and sets out how we will meet forecast demand.

We have sufficient water resources in our Hartismere water resource zone to meet all current and forecast household demand and all current non-household (business) demand. However, we do not have sufficient water resources to meet all forecast new non-household demand (equivalent to a 35% increase in overall household and nonhouseholder demand).

The livestock occupation for the 6no poultry houses of the development authorised by this permission shall not begin until:

a. the local planning authority has approved in writing a full scheme of works to:

i. construct a grey water reuse storage reservoir to store additional on-site water supply to the proposed 6no poultry houses. Also the timeline of when the reservoir will be filled by a combination of the following:

- a. Rainwater harvesting from existing and proposed poultry houses.
- b. Diversion of land drainage flows.
- c. A new groundwater or surface water abstraction

b. the above approved works have been completed in accordance with the local planning authority's written agreement and have been certified in writing as complete on behalf of the local planning authority; unless alternative arrangements to secure the specified additional works have been approved in writing by the local planning authority.

*Officer's Note: Please note that the planning permission with the above condition is not considered implementable until the condition has been discharged.*

### **County Council Responses (Appendix 5)**

#### **Archaeology:**

- There is high potential for below ground heritage assets.
- No grounds for refusal.
- Conditions to secure archaeological investigation and recording if permission granted.

#### **Fire and Rescue:**

- Development must comply with Building Regulations for access and fire fighting facilities.
- Sprinkler system should be considered.

#### **SCC Flood and Water Management:**

Recommend approval subject to conditions.

#### **SCC Highways:**

Further to additional correspondence and information from the applicant's consultants, a further site visit and consideration of the proposal, we are no longer in a position to uphold an objection on this proposal. Whilst the proposal will generate a modest increase in HGV traffic, it is not at a level that we could maintain an objection upon as having a severe or unacceptable impact (NPPF 111). It should also be noted that significant parts of the identified routes form part of the Suffolk Lorry Route network.

**Travel Plan Officer:** No comments

**Transport Planning Engineer:** No objections

With this proposal, it would be more about highway safety than capacity regarding HGVs travelling through villages, but there is insufficient evidence that the modest increase from this proposal would generate a severe impact in our view.

## **Internal Consultee Responses (Appendix 6)**

### **Heritage and Design Officer:**

This application is for the erection of 6no poultry houses with associated admin blocks, feed bins and ancillary development. (EIA Development).

The heritage statement accompanying the application describes the impact of the scheme on the nearby designated and undesignated heritage assets. It concludes that the development would result in less than substantial harm to the significance of the Grade II Listed Old Hall Cottage (List UID: 1182816) and that this harm would be at the lower end of the scale. This impact is due to the visibility= of the proposed sheds, within the wider setting of the Listed cottage. The Heritage Statement also concludes that there would be no impact on the significance of the other heritage assets, due to separation and the lack of visibility.

In general, I agree with this assessment of the scheme's visual impact. However, the impact on a heritage assets setting cannot be limited to views alone. Other environmental factors, such as noise, increased traffic, vibrations, dust, light, etc, all will have an impact on the setting of a heritage asset. The Noise Impact Assessment was carried out by Matrix Acoustic Design Consultants and while their assessment does not specifically target the nearby heritage assets, in general they can be considered to be included within the areas assessed. The noise impact assessment states that the majority of transport movements will occur during the working day (07:00 – 20:00hrs), presumably with a minority of further movements also occurring outside of the working day hours. It also states that "the cumulative noise emissions from roof extract fans with the addition of transport activities would still be below the typical background noise level (low noise impact) and result in very low noise ingress levels.". I conclude from this that there will be a low level of negative impact, due to noise and traffic, particularly on heritage assets closest to the development site.

An assessment of the impact of odours was carried out by Redmore Environmental. The assessment area covered included the majority of the designated and non-designated heritage assets and the subsequent report concludes that the "predicted impacts was defined as slight at nine receptors and negligible at one position. In accordance with the stated guidance, the overall odour effects as a result of emissions from the expanded poultry unit are considered to be not significant." I conclude from this that there is likely to be a negligible impact on the setting and significance of the heritage assets, from the odours associated with the operation of the development.

Therefore, the scheme would potentially result in a low level of less than substantial level of harm to the nearby designated heritage assets, due to the negative effect on environmental factors (noise) on their setting, along with a low level of less than substantial level of harm resulting from the detrimental visual impact specifically on the Grade II Listed Old Hall Cottage.

The national Planning Policy Framework (NPPF) states that any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification (paragraph 200). In paragraph 206 the NPPF states that local planning authorities should look for opportunities for new development within the setting of heritage assets, to "enhance or better reveal their significance". Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. I do not find that the proposed development enhances or preserves the positive elements of the setting of the nearby heritage asset and I do not believe the negative impacts of the scheme could be successfully mitigated.

Therefore, the result of the development would be a low level of less than substantial harm to the nearby heritage assets, which would need to be weighed against the public benefits of the proposal, in accordance with Paragraph 202 of the NPPF.



**Waste Management Officer:** No comment

**Place Services- Ecology**

No objections. Conditions have been recommended.

**Environmental Health Officer (Noise/Odour/Light, etc): (4 July 2023)**

Having reviewed the sites planning history and associated planning documentation we would offer the following observations.

In our previous consultation response, we requested an updated noise report was provided in respect heat exchangers to confirm that the system will not result in an increase in noise levels from the operation of the units. An updated noise assessment has been provided by Matrix Acoustics Consultants (NOISE IMPACT ASSESSMENT Acoustics Report M2118/R01a dated 21st June 2023 to include the heat exchangers.

Having reviewed this information, we do not wish to make any additional comments in respect of this aspect. We would however reiterate that as the farm will operate under a permit issued and regulated by the Environment Agency under Environmental Permitting (England and Wales) Regulations 2016 of which noise is a consideration, The Environment Agency should be reconsulted in respect of this aspect.

*Officer Note: Disposal of fallen stock/dead birds are covered by Animal By-Products (Enforcement) (England) Regulations 2013. This is the governing body that deals with this matter and the applicant is responsible for the safe and legal collection disposal of the fallen stock (dead livestock).*

*They can either make arrangements for the fallen stock to be disposed of at an approved premises, or they can use the National Fallen Stock Company (NFSCo).*

*Please note the site is permitted by the Environment Agency (Permit No EA/EPR/BP3633UQ/V006).*

**Environmental Health Officer (Contamination):** No objection

**Environmental Health Officer (Air Quality):** No objection

**B: Representations**

At the time of writing this report 5 letters/emails/online comments have been received. It is the officer opinion that this represents 5 objections. A verbal update shall be provided as necessary.

Views are summarised below:-

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

- Negative impact of additional HGV traffic.
- Impact on pedestrian and highway safety.
- Road network condition / capacity unsuitable.
- Poor visibility, speed limit ignored.
- Odours, smell of ammonia.
- MSDC has a duty of care for communities and heritage.
- Cumulative impact of poultry industry in the locality.
- HGVs travelling on narrow roads with no passing places.

- HGV movements already have negative impacts on the quality of life of local residents.
- Concerns not all HGV traffic generation is being assessed.
- Disagreement with SCC Highways consultation advice.
- Disposal of dead birds

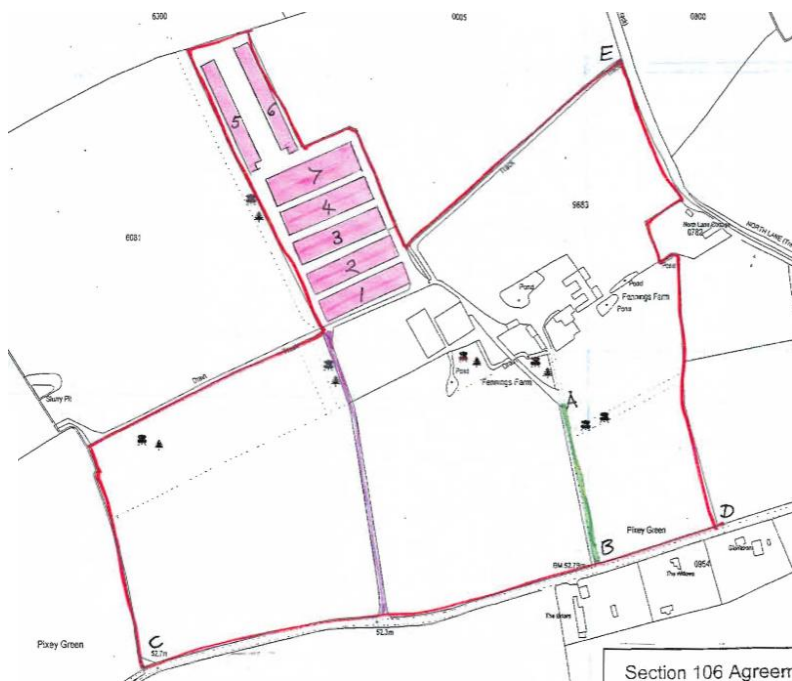
## **PLANNING HISTORY**

<b>REF:</b> DC/23/01988	Agricultural Determination Stage 2 of DC/23/01425. Application for prior approval for a proposed: Excavation to create a reservoir reasonably necessary for the purposes of Agriculture. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 6 - Creation of reservoir. <b>DECISION:</b> Approved
<b>REF:</b> DC/23/01425	Application to determine if Prior Approval is required for a Proposed: Excavations or Deposits of Waste Material reasonably necessary for the purpose of Agriculture. Town and Country Planning (General Permitted Development) (England) Order 2015 as amended Schedule 2, Part 6 - Construction of reservoir Details IS required <b>DECISION:</b> Formal Approval of 19.04.2023
<b>REF:</b> DC/21/01541	SCOPING OPINION PROPOSED DEVELOPMENT: 6no POULTRY HOUSES WITH ASSOCIATED ADMIN BLOCKS, FEED BINS AND ANCILLARY EQUIPMENT
<b>REF:</b> DC/21/01541	SCOPING OPINION PROPOSED DEVELOPMENT: 6no POULTRY HOUSES WITH ASSOCIATED ADMIN BLOCKS, FEED BINS AND ANCILLARY EQUIPMENT
<b>REF:</b> 1083/09	Erection of 2 No. Chicken Sheds. <b>DECISION:</b> REC
<b>REF:</b> 0211/01	BROILER CHICKEN SHED <b>DECISION:</b> GTD 16.11.2001
<b>REF:</b> 0539/88	Erection of two poultry houses and feed bins with alteration to existing access <b>DECISION:</b> GTD 08.08.1988

*Officer's Note: Application reference 0211/01 is the site history that was previously not listed in officer's committee report on 1<sup>st</sup> March. The existing site poultry operation is a result of a planning approval ref 0211/01 which contains a s106 agreement, please note below the third schedule of the s106 agreement, this is in relation to access to the site and noise control on site. This is a material consideration in assessment of the proposal, in that matters of access to site and use of the business have already been established and subject to control by a legal agreement.*

**THIRD SCHEDULE**

1. No catching or harvesting whatsoever shall be carried out on the Land associated with either the Owners or the Operators respective poultry businesses ("the said businesses") between the hours of 1830 hours and 0630 hours the next day
2. Neither the Owner nor the Operator shall cause or permit any vehicles associated with the said businesses to come onto and enter the Land for the purposes of catching or harvesting between the hours of 1830 hours and 0630 hours the next day
3. Between points marked "A" and "B" the access road shown coloured green on the plan shall permanently be closed to all vehicular traffic movements associated with the said businesses
4. All vehicular traffic associated with the said businesses shall use the access way coloured mauve on the plan as the only means of access to and egress from the Land from the public highway
5. At any point between the points marked C-D-E on the plan no noise shall emanate from the buildings shown coloured pink and numbered 1 and 2 on the plan shall exceed a level of 37dB<sub>L<sub>Aeq</sub>1hour</sub> between the hours of 0630 and 1830 on any day and 35dB<sub>L<sub>Aeq</sub>15mins</sub> at any other time during the day.



*Officer Note: Further update with regards to the above s106 will be given to members on the committee day.*

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1. The Site and Surroundings**

- 1.1 The application site is a part of an existing poultry operation comprising 9no. poultry sheds with a 259,000-bird maximum stocking density at Fennings Farm, Pixey Green, approximately 2.1km to the south west of Fressingfield and 2.5km to the north east of Stradbroke. The site is approximately 7.5 km to the south of the town of Harleston (Norfolk) and 10km from Eye (Suffolk). Fennings Farm is accessed from a minor road running between the B1118 (Battersea Hill) to the west and Stradbroke Road to the east.

- 1.2 There are some residences and commercial properties in the area surrounding the site of the proposed poultry houses at Fennings Farm. The closest residential property is Fennings Farm (formerly White House Farmhouse), which is under the applicant's ownership and lies approximately 145m to the south-east; thereafter North Lane Cottage 415m to the east is the closest non-involved residence. There are several other residences, farmsteads, and commercial properties further afield.
- 1.3 The character of the surrounding area is predominantly open and rural, with a limited number of interspersed residential and agricultural buildings to the south-east of the site. The site is heavily screened from public views and from the public highway by existing mature vegetation.

*Officer's Note: The current license is for 570,000 broilers; the permit covers the existing and proposed sheds. The EA permit is appended to the submitted planning statement.*

## **2. The Proposal**

2.1 The proposal is for the "Erection of 6no poultry houses with associated admin blocks, feed bins and ancillary development." Planning permission is sought for the 6no. sheds as extension to the existing 9no. shed Poultry Production Facility at Fennings Farm. The 6no. proposed additional sheds would have a potential 307,800 bird capacity, with each shed holding up to 51,300 birds. This would increase the number of birds on site from 259,000 at present to maximum of 566,800 (The current license is for 570,000 birds). The chickens would be hatched in the sheds and grown to 38 days old and there would be approximately 7.5 flocks per annum. Each of the proposed poultry sheds is 110.5m x 22.9m. The proposed poultry houses would be ventilated by 18no. high speed ridge or roof fans per shed, with backup ventilation provided by gable end fans.

2.2 The development comprises the following elements:

- 6 Poultry Houses to accommodate 307,800 birds (each shed to accommodate up to 51300 birds) 16,908.81m<sup>2</sup>
- Admin Block 118.86m<sup>2</sup>
- Feed Bins; and
- Ancillary Development\*

\* Drains, Attenuation Pond, subterranean dirty water tanks, hardstanding – as per latest submitted drawings.

2.3 The 6no. proposed additional sheds would have a potential 307,800 bird capacity, with each shed holding up to 51,300 birds. The chickens would be hatched in the shed and grown to 38 days old and there would be approximately 7.5 flocks per annum. Each of the proposed poultry sheds is 110.5m x 22.9m. The proposed poultry houses would be ventilated by 18no. high speed ridge or roof fans per shed, with backup ventilation provided by gable end fans.

2.4 The crop cycle is summarised at Table 1 below:

Step 1	Fresh bedding is placed in all sheds
Step 2	Eggs are placed in all sheds - this may happen over 1 or 2 days depending on programming, but all sheds would be full.

Step 3	Eggs hatch & birds grow to around 1.8kg
Step 4	At around day 30 (from hatch date) c. 30% of birds are removed from each house.
Step 5	Remaining birds are left to grow to around 2.4kg
Step 6	All birds are removed from all sheds. This usually happens in 1-3 days depending on requirements at the processing factory
Step 7	All sheds are mucked out. This happens one shed at a time (with fans running in this shed only) but all sheds will be completed over a 2 day period. Muck taken to power station at either Eye or Thetford.
Step 8	All sheds are washed and disinfected.
Step 9	Wash water is removed from site to treatment lagoon at Thetford where it is treated & spread on land according to EA guidelines
Step 10	Repeat

Table 1 - Crop Cycle

*Officer's Note: It has been confirmed that the whole farm - existing and proposed sheds - would be stocked and cleared at the same time.*

### **3. The Principle of Development**

3.2 As an agricultural expansion proposal, the principle is supported, in general, by paragraphs 80, 81, 83 and 84 of the NPPF which state:

*"Planning...decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development." (para 80)*

*Planning...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; (para 83)*

3.3 This positive emphasis must, however, be balanced with the concurrent objectives of supporting the health, social and cultural wellbeing of local communities and the need to protect and enhance the natural, built, and historic environment.

3.4 Saved policies, CS2, CS5, CL15 & CL17 of the Development Plan reflect the objectives of the NPPF as noted above, supporting appropriate agricultural and economic development subject to all material considerations. Policies STRAD 1 and STRAD13 of the NDP also echo this objective.

3.5 Neighbourhood Plan policy STRAD 1 requires developments to be focused within the Settlement Boundary, however this policy also sets out *"that Development will be permitted in the countryside*

*for the retention of existing and appropriate provision of new commercial premises, where it meets the requirements of Policy STRAD13.”*

3.6 Policy STRAD13 provides the following:

*POLICY STRAD13: EMPLOYMENT PROVISION*

*The expansion of existing commercial premises will be permitted, subject to certain criteria identified below:*

- *the proposals are not significantly detrimental to the character of the wider countryside or the views across it; and*

This limb of the policy is addressed in section 5 of this report.

- *the activities to be undertaken on the premises do not have an unacceptable impact on the amenity of neighbouring properties; and*

This section of the policy is addressed in section 7 of this report.

- *there is sufficient off-street parking to accommodate workers and visitors; and*
- *the activities to be undertaken on the premises will not result in significant increase in heavy goods vehicular traffic on the roads in the vicinity of the premises or elsewhere in and around the parish.*

These requirements are considered within section 4 of the report.

3.7 The main issues for consideration include highway safety, landscape impact, heritage, residential amenity, pollution and other amenity impacts, flood risk and drainage and ecology, and detailed consideration of these follows below.

3.8 The emerging Joint Local Plan (JLP) is at modification stage and as this has progressed the policies have been afforded limited weight. The weight is now increasing, with the modifications consultation complete and responses under review, with examinations on certain issues having been undertaken in June. However, it remains the case that this is not the adopted Development Plan, and overall the weight is limited.

3.9 JLP Policy LP14 – relates to *Intensive Livestock and Poultry Farming* and is the most relevant emerging JLP policy in this case. The policy sets out that:

“Proposals for intensive livestock and poultry units and associated structures and facilities for the storage and disposal of waste will be permitted provided that the siting, design, materials used (including lighting) and methods of operation proposed address certain criteria including:

- a) serve to protect the amenity of residential properties, avoiding or effectively mitigating odour, light and other forms of pollution and disturbance, or in the case of extensions can demonstrate a positive improvement in existing conditions;*
- b) protect sensitive environmental receptors, such as designated protected species, ecological sites and watercourses (including wet and dry ditches, groundwater and ponds) through appropriate pollution prevention measures and supported by demonstrable on-site contingency measures;*
- c) consider and address the impact on water resources and the capacity of the water supply infrastructure network, taking account of the limitation on the Hartismere supply network;*

- d) *demonstrate that there will be no significant effects upon sensitive environmental receptors from air pollutants, through submission of approved emission modelling;*
- e) *demonstrate adequate provision has been made for the management and disposal of waste materials, liquids, litter and manure for each production cycle which will not lead to pollution, particularly of surface and groundwater, by submission of an approved waste management plan;*
- f) *serve to minimise visual and landscape impact and incorporate suitable landscaping proposals;*
- g) *demonstrate adequate highway capacity and access to the highway network. Proposals must not generate an unacceptable increase in traffic volumes and HGV movements over the period of a production cycle taking account of the origin and destination routing of goods within the processing chain.*

*The policy continues:*

*2) Where proposals for expanded or new units adjoin existing groups of agricultural buildings, or any new proposals which are in remote, isolated or detached locations outside settlement boundaries, they must provide appropriate justification and demonstrable evidence for the location. Where an individual intensive livestock or poultry development is considered acceptable, the cumulative impacts resulting from similar developments nearby must also be taken into account. Every section of policy LP14 matches other policies in the local plan and each strand of the policy has been addressed in relevant sections of the report under respective heading.*

*3) Where an individual intensive livestock or poultry development is considered acceptable, the cumulative impacts resulting from similar developments nearby must also be taken into account.*

*4) Proposals for residential buildings or other sensitive land uses within 400m of established intensive livestock and/or poultry units will be subject to special consideration. Such proposals which would be subject to significant adverse environmental impact will not be permitted.*

- 3.10 Noting the above assessment, requirements of LP14, and having regard to the scale, nature and location of the proposal, where there is a nearby and existing poultry production operations (Ebdens farm situated less than a 1 mile away to the south-east of the site), it is also appropriate to consider the cumulative impact of the proposal. Consideration has been given to the cumulative impacts arising from the proposal in context with existing and permitted livestock operations in the northern part of the Mid Suffolk District including the practical supply chain impacts of these operations. As mentioned above, each of these matters are discussed comprehensively in the following sections of the report.

#### **4. Highway Safety**

- 4.1 The majority of objections from local residents and parish councils include concerns relating to the impact of traffic movements to and from the site, particularly HGVs, on highway safety including pedestrians, residents, and other road users.

- 4.2 Policy CL15 addresses livestock buildings and related development and provides that:

*“Proposals for livestock buildings and associated structures, such as slurry tanks and lagoons will not be permitted where they significantly intrude into the landscape, materially injure residential amenity, where the local road system cannot accommodate the flow of traffic generated by the proposal, or where appropriate measures are not included for the containment and disposal of effluent.”*

4.3 Local Plan policy CL17 similarly addresses road safety and supports farm diversification proposals providing:

*“There is no excessive traffic generation or adverse effect on the free flow and safety of traffic”*

4.4 Policy T10 requires consideration of the following:

*“- The provision of safe access to and egress from the site*

*- the suitability of existing roads giving access to the development, in terms of the safe and free flow of traffic and pedestrian safety;*

*- whether the amount and type of traffic generated by the proposal will be acceptable in relation to the capacity of the road network in the locality of the site;*

*- the provision of adequate space for the parking and turning of cars and service vehicles within the curtilage of the site;*

*- whether the needs of pedestrians and cyclists have been met, particularly in the design and layout of new housing and industrial areas. Cycle routes and cycle priority measures will be encouraged in new development.”*

4.5 Neighbourhood Plan Policy STRAD 13 similarly requires:

*“the activities to be undertaken on the premises will not result in significant increase in heavy goods vehicular traffic on the roads in the vicinity of the premises or elsewhere in and around the parish.”*

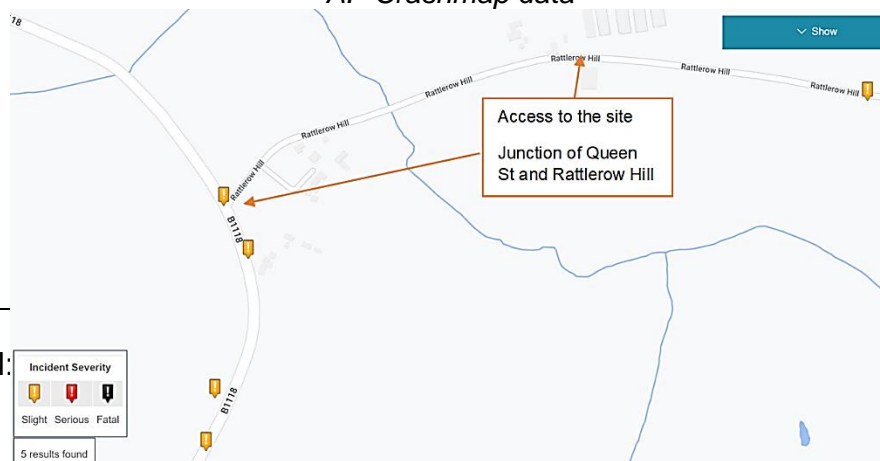
4.6 Policy LP14 also requires adequate highway capacity and access to the highway network.

4.7 The NPPF states:

*“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.”* (para 111)

4.8 The proposed development will make use of an existing access (Rattlerow Hill) serving the farm complex. Rattlerow Hill is a single carriageway which is a classified road (C514) which runs on an east to west alignment between the junction with the B1118 and Stradbroke Road. It is subject to the national speed limit which for a single rural road is 60mph. It is unlit and there are soft grass verges. The current access from Rattlerow Hill, and its junction with B1118, has been in use for a number of years without any fatal incidents. The data available on Governments Crashmap website confirms this, which shows just 2no. ‘slight’ vehicular accidents in the vicinity of the existing access in the 22-year data period from 1999 to 2020 inclusive. Neither are immediately upon the site access.

#### A. Crashmap data



CLASSIFICATION:



4.9 The application documents include a transport assessment (TA) produced by The Transportation Consultancy Ltd (ttc) which describes the anticipated traffic and highways impacts of the proposal. The report calculates a total (which includes Bales, Nest Equipment, Eggs, Gas Tanker, General Waste, Hook Loader, Feed, Dead Hook Loader, Moffett, Birds Out, Muck, Cleaning Equipment Tractor, Wash Water, Fogging and Staff) of 258 vehicle trips (for the proposed units), which will be generated per flock cycle (over a 7-week period) the maximum trip generation would occur every 6th week in the cycle, where 82 vehicle movements would be generated over a 7-day period. In regard to a daily traffic generation, the first day (all units are populated on the same day) of the 6th week period would generate 22 vehicle movements throughout the course of the day, which result in a maximum of 44 two-way vehicle trips throughout the flock cycle. The majority of traffic generated through the remaining flock cycle is low, the following highest daily traffic generation occurs on 2nd day of the 5th week where 34 two-way vehicle trips are generated. The first four weeks of the flock cycle generate 10 and 12 two-way vehicle movements respectively.

4.10 The peak traffic generated by the proposed will be a maximum of 44 vehicle movements over the course of a day every 7 weeks at various times during the day. As a comparison the daily and current traffic flows along Rattlerow Hill have been recorded as 926 vehicle and the maximum vehicles movements would therefore equate to an increase of 4.7% on total daily traffic levels, this is not a significant increase, as assessed by Senior Transport Planning Engineer “*there is insufficient evidence that the modest increase from this proposal would generate a severe impact in our view*”. Please note that the submitted Traffic Assessment sets out the traffic generated includes all vehicle movements on site, HGV, non-HGV, etc, over the 7-week cycle. This is set out in the table 4.1 below. To reiterate in summary, a total of 258 vehicle trips will be generated per flock cycle (over a 7-week period) the maximum trip generation would occur every 6th week in the cycle, where 82 vehicle movements would be generated over a 7-day period.

*Officer’s Note: The peak traffic generated by the proposed will be a maximum of 44 vehicle movements over the course of a day every 7 weeks. It should be noted that these vehicle movements will be generated over the course of a day, hours of which can be controlled by way of a suitable condition.*

4.11 The applicant has provided that all traffic associated with the poultry farm will route to site from the wider transport network via the existing Fennings Farm vehicle access onto Rattlerow Hill.

4.12 Operational routes and their destinations are outlined below;

- Feed – Denham Mill (30%) and Kenninghall Mill (70%)
- Litter Supplier – Chapman Quality Bedding (Near Rattlerow Farms)
- Muck – Thetford Power Station & Eye Airfield Industrial Estate Power Station
- Birds Out – Cranswick Country Foods Ltd, Eye Airfield Industrial Estate

4.13 Suffolk County Council Highways have considered the estimated increase and likely concentration of traffic movements over the growing cycle and have advised that, whilst in comparison to the

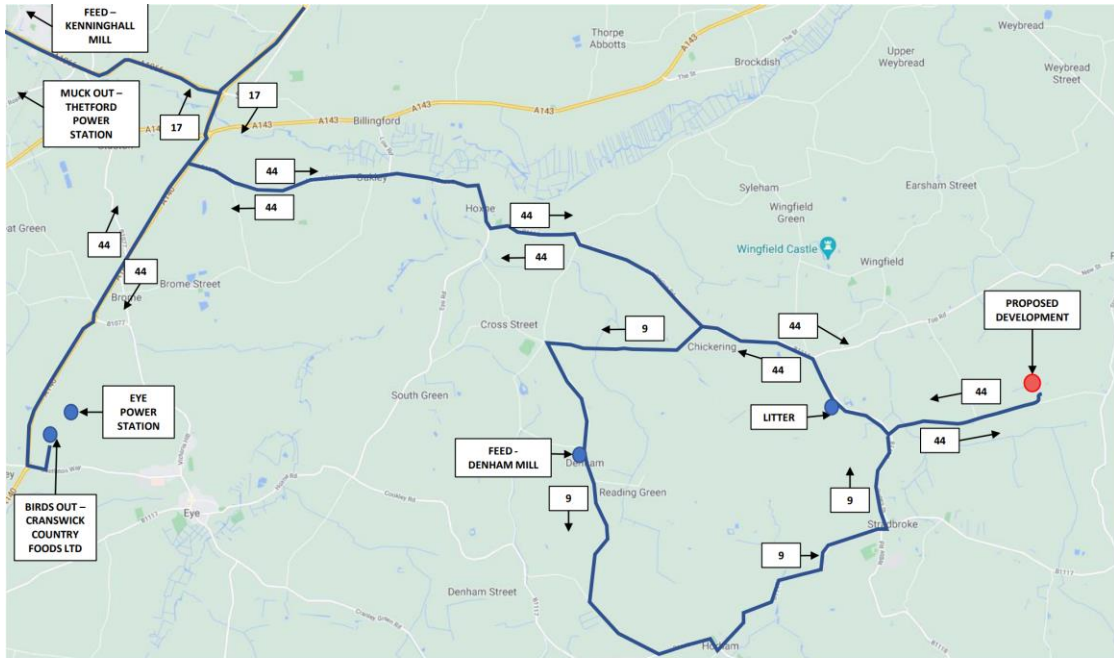
existing operation there will be an increase of traffic for the site itself there is not considered to be a severe impact on the highway network. They have also considered the impact of HGV movements through the local settlements, also the concerns raised by local residents. The SCC Highways Officer has advised that the number and timing of movements from this proposal is such that does not justify the refusal of planning permission on transport grounds. Conditions are recommended to secure a construction management plan, appropriate visibility for the amended access works and a transport plan to agree appropriate HGV routing for the operation, also a Deliveries Management Plan has been recommended. (Please note below illustrations Appendix D which demonstrates the routes and number of HGV movements to and from the site over the 7-week cycle.)

**Table 4.1 Traffic Generation for Proposed Poultry Farm**

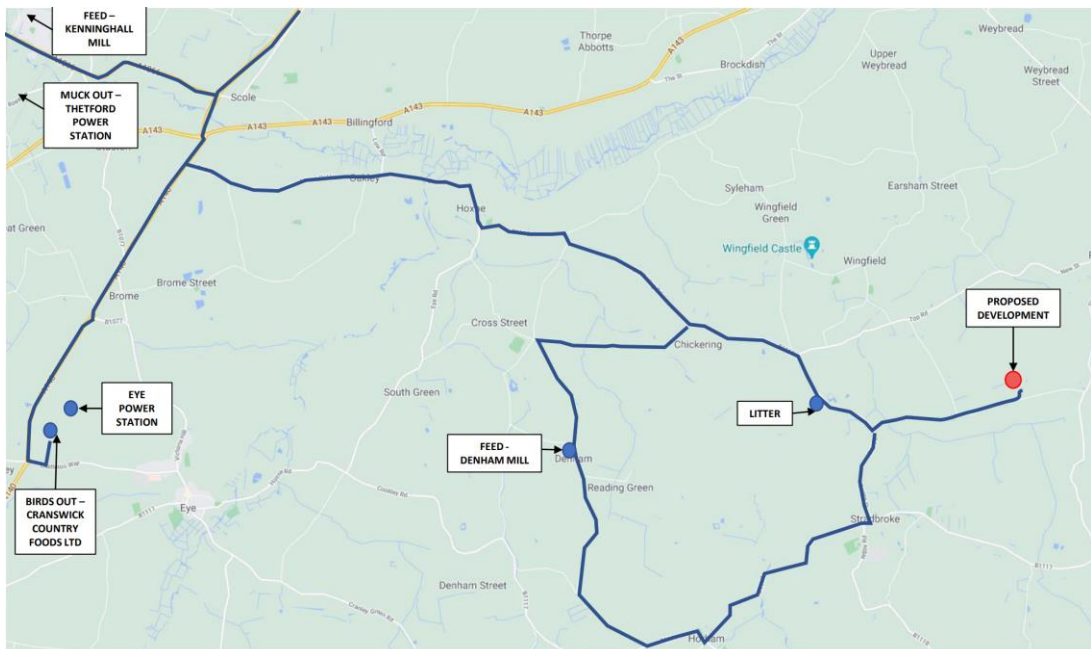
Commodity	Delivery/Collection Vehicle Type	Weeks / Trips							Total
		1	2	3	4	5	6	7	
Litter in	Artic							5	5
Bales	Artic							2	2
Nest Equipment	Rigid – 7.5T							2	2
Eggs In	Artic							3	3
Gas	Tanker		1					1	2
General Waste	Hook Loader – 18T	1		1		1		1	4
Feed	Artic	9	7	9	9	7		4	45
Dead	Hook Loader – 18T		1	1	1	1	1		5
Moffett	Artic					1	1		2
Birds Out – Thinning	Artic					11			11
Birds Out – Catching	Artic						31		31
Muck	Artic						18		18
Cleaning Equipment	Tractor and Trailer						3		3
Wash Water	Artic							2	2
Fogging	Rigid – 18T							1	1
Staff	Non - HGV	15	15	15	15	18	27	18	122
<b>TOTAL/WEEK</b>		<b>25</b>	<b>24</b>	<b>26</b>	<b>25</b>	<b>39</b>	<b>82</b>	<b>38</b>	<b>258</b>
<b>TOTAL/DAY ONE WAY</b>		<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>17</b>	<b>22</b>	<b>9</b>	

CLA:

Commodity	Delivery/Collection Vehicle Type	Weeks / Trips							Total
		1	2	3	4	5	6	7	
<b>TOTAL/DAY TWO WAY</b>		<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>34</b>	<b>44</b>	<b>18</b>	



Appendix D – Traffic Routing Diagram - Maximum Daily Traffic over 7-week Flock Cycle



Appendix D – Traffic Routing Diagram



- 4.14 SCC Highways do not object to the proposal in terms of impact on the safety of pedestrians and free flow of traffic. Although they have identified that there are narrow sections on Rattlerow Hill (bridge and section close to the application site access), given the forecast additional HGV trips and existing traffic flows, they have withdrawn their objection in this regard. They have noted the impact upon the B1118 in Stradbroke however as this forms part of the Suffolk Lorry Route network and not all of the (modest number of) HGV journeys involve this route, similarly they have accepted the proposal.
- 4.15 This position differs from that expressed by parish councils and some local residents as summarised above. Amongst other matters, attention has been drawn to the narrow width of parts of the network, to the absence of footpaths, to the incidence on the roads and junctions with limited visibility. Concerns are particularly felt at the section where B1118 Queen Street meets Rattlerow Hill (below illustration), where the existing circumstance of HGV and other traffic movements on the local road network is considered to be harmful to the safety and amenity of local residents. It is felt that this proposal would further exacerbate the harm experienced by these communities. Above (A. Crashmap) is the Crashmap extract which demonstrates all incidents (5 in total) in the past 10 years, all of which have been slight.
- 4.16 It is also relevant to have regard to the context in which this proposal is being considered, that being a predominantly rural area where the local economy is characterised by agricultural operations.
- 4.17 Regard also has been had to the cumulative impact of the proposed development on highway safety in the context of the existing circumstances of the area and together with existing and permitted livestock operations in the northern part of the Mid Suffolk District including the practical supply chain impacts of these operations in terms of vehicle movements. It is certainly the case that the road network in parts of the system is of insufficient width to allow two vehicles to pass, especially if one or both are an HGV. However, by the standard of traditional rural roads, there are reasonable levels of forward visibility, with straight stretches, and a relatively open landscape. Where narrow bends occur, they are of limited extent, and the nature of the road tends to encourage caution in all circumstances. As noted previously there are no record of fatal incidents in the past 10 years. Additionally, limited, and dispersed settlement in the vicinity, would restrict both the number of pedestrians, and the likelihood of parked cars and vehicles emerging from side turnings.
- 4.18 In considering all of the above it is necessary to determine whether the highway impact is unacceptable, or the residual cumulative impacts severe. SCC Highways do not conclude so on either count. The matter has previously been considered at an appeal decision dated 29 Oct 2010(refused under 3349/09 and allowed under APP/W3520/A/10/2128648/NWF), on a different site, albeit within close proximity, and share the same road network, Ebdens Farm, to the south east of Fennings Farm, in which the Inspector commented that:
- 'the term 'severe' sets a high bar for intervention via the planning system in traffic effects arising from development' and that 'the critical elements in assessing whether the impact was severe were firstly, increase in the number of vehicles likely to be generated by the proposed development in relation to the capacity of the road to accommodate such an increase, both in terms of free-flow of traffic and highway safety, [and]...the ability for pedestrians to cross the main road conveniently and safely and the ease of vehicles to gain access to the main road from side streets and access points'.*
- 4.19 In this case there is no indication that the increase in the number of vehicles generated by the development would exceed the capacity of the local road network which is, generally, lightly trafficked at most times. Further, there is no indication that there will be additional and significant

wait times or other congestion would result from the traffic generation of the proposal. In terms of pedestrian safety, it is considered that drivers would be adequately aware of the likelihood of pedestrians when travelling through the area.

4.20 In assessing the overall highway safety impacts of the proposal, in terms of the NPPF and development plan considerations, it is concluded that the proposal would not result in excessive traffic generation, would not be unacceptable in relation to the capacity of the local road network, would not result in an unacceptable impact on highway safety or a severe impact on the highway network when considered cumulatively with other development in the area.

4.21 Further, development can be adequately controlled such as to secure safe access, parking and turning and vehicle routing for the operation as well as other suitable conditions as recommended by SCC Highways Officer. On this basis the proposal is considered to be acceptable on highway safety grounds and in compliance with policies CL15, T10 and para 111 of the NPPF. As well as policy STRAD 13 of the NDP, and LP14 of the JLP.

## 5. Landscape, Design & Character impact

5.1 NPPF paragraph 130(c) states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting. The NPPF states that local authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

5.2 Local Plan Policy GP1 calls for proposals to, amongst other matters, maintain and enhance the character and appearance of their surroundings. Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the district's most important components and encouraging development that is consistent with conserving its overall character.

5.3 STRAD13 provides that "The expansion of existing commercial premises will be permitted, subject to certain criteria identified below: the proposals are not significantly detrimental to the character of the wider countryside or the views across it;" The prevailing character of the surrounding landscape is that of generally open, rolling, arable land interspersed with residential and agricultural buildings. Fennings Farm is an existing and established poultry production farm that has been operating for many years and has become part of the landscape character in this part of the countryside.

5.4 The site is screened from public views by the topography of the surrounding landscape as well as existing built development, bunding and some mature vegetation. Below illustration is a historic definitive map obtained from SCC website. The dotted black line is the Parish Boundary, and the dashed line is the nearest public footpath where is the only vantage point in the public realm. However, views from this vantage point are already screened by the presence of the existing poultry units.



5.5 The scale, design and materials of the proposed buildings are typical of modern agricultural developments, similar to those that exist in the wider landscape and a more modern version, but similar style, to the existing poultry shed buildings at Fennings Farm. Each building will have windows based on 3% floor area to latest RSPCA standards. The pitch of the roof will be 12.5 degrees, the height to the eaves will be 2.2m, and the height to the ridge 5.1m. Lighting will consist of personnel lights above doorways for health and safety reasons and directional LED floodlighting above vehicle doorways. No other lighting is proposed, no obtrusive lighting in the countryside has been proposed, conformant with NDP policy STRAD 12. A condition to control lighting is proposed to retain control over this. The proposal is in accordance with policies STRAD 12 & STRAD 13 of the Neighbourhood plan.



A. *Heat Exchangers*

5.6 The application documents include illustrations which demonstrates a strip of 240x40sqm landscaping that has been recently planted(B) and also confirms the location of heat exchangers (A) which would be located between the buildings and not visible within the public realm. (The function of heat exchangers is to warm the outside air before it is delivered to the poultry houses. The air is warmed up by exchanging heat between the air that is extracted from the poultry house and the fresh outdoor air that is introduced into the poultry house). The presence of other mature vegetation surrounding the site also results in a reduced impact upon the landscape character. In any event, the presence of poultry production units is not out of keeping in this part of the countryside.

5.7 Modern agricultural buildings such as those proposed here are a common feature within the rural working landscape of this part of the district as noted above and the location of the 6 units in close proximity to the existing 9 units will be observed as one operation. There is not considered to be an unacceptable cumulative visual impact arising from this proposal in context with other development

in the landscape. The development conforms with the criteria of GP1, CL14 of the Local Plan and Stradbroke NDP Policy STRAD 2 and LP14 of the JLP.

- 5.8 Overall there is not considered to be any unacceptable visual impact subject to conditions to secure appropriate landscaping. (*Recent tree planting has been demonstrated and can be observed in below illustration*)



*B. Present landscaping*

## 6. Heritage

- 6.1 Section 66 (1) of the Planning (LCBA) Act 1990 requires local authorities to give special attention to the desirability of preserving or enhancing the character or appearance of listed buildings, including setting. In addition, paragraph 199 makes clear that ‘...When considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset’s conservation...’
- 6.2 There are no heritage assets within the site itself but there are a number of listed buildings within the wider landscape, including Grade II listed Fennings Farmhouse, formerly White House Farmhouse, North Lane Farmhouse and Old Hall Cottage.



*Distances to nearest GII listed assets.*

- 6.3 The BMSDC Heritage Officer advises that, the site falls within the setting of these listed buildings. They agree with the findings of the submitted Heritage Impact Assessment in terms of visual impact of the proposal which concludes that the development would result in less than substantial harm to the significance of the Grade II Listed Old Hall Cottage (List UID: 1182816) and that this harm would be at the lower end of the scale. This impact is due to the visibility of the proposed sheds, within the wider setting of the Listed cottage. However, they assert that the impact on a heritage assets setting cannot be limited to views alone. Other environmental factors, such as noise, increased traffic, vibrations, dust, light, etc, all will have an impact on the setting of a heritage asset.
- 6.4 The Noise Impact Assessment was carried out by Matrix Acoustic Design Consultants and while their assessment does not specifically target the nearby heritage assets, in general they can be considered to be included within the areas assessed. The noise impact assessment states that the majority of transport movements will occur during the working day (07:00 – 20:00hrs), presumably with a minority of further movements also occurring outside of the working day hours. It also states that “the cumulative noise emissions from roof extract fans with the addition of transport activities would still be below the typical background noise level (low noise impact) and result in very low noise ingress levels.” As a result, there will be a low level of negative impact, due to noise and traffic, particularly on heritage assets closest to the development site.
- 6.5 An assessment of the impact of odours was carried out by Redmore Environmental. The assessment area covered included the majority of the designated and non-designated heritage assets and the subsequent report concludes that the “predicted impacts was defined as slight at nine receptors and negligible at one position. In accordance with the stated guidance, the overall odour effects as a result of emissions from the expanded poultry unit are considered to be not significant.” As a result of these findings, there is a negligible impact on the setting and significance of the heritage assets, from the odours associated with the operation of the development.
- 6.6 The scheme would result in a low level of less than substantial level of harm to the nearby designated heritage assets, due to the negative effect on environmental factors on their setting, along with a low level of less than substantial level of harm resulting from the detrimental visual impact specifically on the Grade II Listed Old Hall Cottage. Therefore, and based on the above assessment, the development would cause a low level of less than substantial harm to the nearby heritage assets, which would need to be weighed against the public benefits of the proposal, in accordance with Paragraph 202 of the NPPF.
- 6.7 Paragraph 202 of the NPPF requires that a finding of less than substantial harm must be weighed against the public benefits of the proposed development. The proposal would create an expansion to an existing and established business, which would bring tangible economic benefits across the district, which are considered to outweigh the low level of less than substantial harm as identified by the Heritage Officer. The proposal would be in line with Local Development Plan policy HB1, Stradbroke Neighbourhood Plan policy STRAD11 and paragraph 199 & 202 of the NPPF.
- 6.8 The SCC Archaeology officer advises that there is high potential for the site to have archaeological assets due to its location and given that finds have been recorded on adjacent land. SCC has raised no objection to the proposal and recommends conditions to secure an appropriate scheme of archaeological investigation and recording for the site.



## 7. Residential and other amenity impacts

- 7.1 The nature of the operation is such that it has the potential to give rise to residential amenity impacts in terms of noise, smell, disturbance, etc. Whilst the site is located in the countryside it is in fairly close proximity to the northern part of Stradbroke along Queen St such that disturbance from associated traffic movements has the potential to affect these residents. There are also a number of more isolated properties closer to the site.
- 7.2 Noise: The most likely sources of noise impact from this type of operation is associated with vehicle movements, including the use of forklifts and the use of extraction fans used for ventilation of the buildings.
- 7.3 The application documents include a noise impact assessment which established the background noise levels at the nearest dwellings to the site and compared this to the levels of noise expected to be generated by the operation of the proposed development. The cumulative noise impact of the existing and proposed additional poultry units has been established to be low.
- 7.4 The MSDC Environmental Health Officer advises that the scale and nature of the proposal is regulated by the Environment Agency environmental permitting scheme, such that noise impacts are controlled through that process. The Environment Agency have made no comments regarding the noise impacts of the proposal. On the basis of this advice and the findings of the noise impact assessment the proposal is not considered to have an unacceptable noise impact.
- 7.5 Odour: As an agricultural operation the proposed development has the potential to emit odours that arise from the keeping of live animals. The submitted Odour Assessment has identified that there is the potential for odour releases from the ridge mounted fans serving the proposed poultry sheds during normal operation (such fans also serve the existing poultry sheds). The operation would be subject to control through the Environmental Permitting regime administered by the Environment Agency which includes consideration of airborne pollutants. The NPPF advises that, whilst planning decisions should not seek to duplicate controls that exist in other regimes and those regimes must be assumed to be effective, it is necessary for the planning process to consider whether the proposed use of the land is appropriate and that includes consideration of the impact of any odours on the amenity of people living and working in the locality.
- 7.6 In assessing the impact of odour from the proposal on the amenity of the locality regard has been had to Guidance on the assessment of odour for planning version 1.1 (IAQM, 2018).
- 7.7 The impact of odour from the development is assessed in context with the existing odour impacts from the existing operation, and other neighbouring operations (Ebdens Farm is located approximately 750m south-east of Fennings Farm) in the area on the health and living conditions of the community.
- 7.8 The application documents include an odour and ammonia assessment for the proposal. These documents explain that predicted odour concentrations were below the relevant EA odour benchmark level at all receptor locations for all modelling years. The significance of predicted impacts was defined as slight at nine receptors and negligible at one position. In accordance with the stated guidance, the overall odour effects as a result of emissions from the expanded poultry unit are considered to be not significant.
- 7.9 The Environment Agency has withdrawn their earlier objection to the proposal however they have noted that the odour emissions from the gable end fans are not included in the Odour Modelling and Assessment, that considered in the assessment of this application. They have recommended

that they are used during hot weather (depending on the age of the broilers) and that these are the days when residents tend to either be outside in their gardens or have house windows open.

- 7.10 It is noteworthy that para. 3.2.2 of the submitted Odour report already provides that although the poultry sheds include gable end fans, these will only activate when the outside temperature exceeds 28 C. (normally only occurring in months of July and early August). As such, use of the gable end fans is not considered to represent normal operation. i.e., in terms of the potential for significant effects arising from gable end fan usage. Additional information was provided by the applicant on 9<sup>th</sup> Sep 2022, and included that cooling systems will be installed in the proposed sheds. These will provide additional control of internal temperatures during hot weather and limit the requirement for use of the gable end fans in extreme conditions. On similar sites where comparable cooling systems have been installed, external temperatures have reached 41°C and appropriate conditions have been maintained within buildings without the requirement for additional ventilation. This represents only 1.14% of the total number of hours in a year and due to the very limited period, it is considered unlikely that inclusion of emissions from gable end fans within the model would significantly affect predicted 98th %ile of 1-hour mean odour concentrations at any of the sensitive locations included in the assessment. This is an acceptable outcome and supportable as a result.
- 7.11 In relation to the litter clear out process, the applicant has confirmed that this will be undertaken after all birds have been removed from the buildings and transported off-site on the same day. Additionally, litter will be removed from one shed at a time and only the fans serving the building being cleared will be operated. The fans serving all other sheds will be switched off and therefore will not represent emission sources. It is acknowledged that there is potential for increased emissions from a shed when litter is removed. However, it should be noted that the submitted assessment assumed that maximum odour emissions as a result of rearing operations are released simultaneously from all existing and proposed buildings and that releases occur 24-hours a day, 365-days per year. As a result, the gross emission modelled during all periods is likely to be significantly higher than during clear out events, when as stated above, there is only the potential for releases from the fans serving one building at any one time. Based on the above, it is considered that the modelling has provided a robust appraisal of potential impacts as a result of emissions during both rearing operations and clear out periods and no further assessment is required in order to quantify effects as a result of the proposals.
- 7.12 In relation to waste water, a licenced company removes the waste water. Washdown takes a little over two days and muck out will take a similar time depending on the need to turn the sheds around for restocking. At the end of each 6 – 8 week growing period, broilers will be removed from the houses with used litter taken away from the farm in covered trailers and the empty house(s) will then be power washed, disinfected and fumigated ready for the arrival of the next crop. At this point outflow from the subterranean water storage tank will be stopped via an inbuilt diverter) and the wastewater subsequently exported from the farm in a sealed tanker lorry. The time between chickens out and new ones in have been given as 10.7 days and this is a fair average for the farm now and going forward. The majority of this time is given to mucking, washing, and setting up for the next crop, all of which have been accounted for in odour, ammonia, noise, and transport modelling, and the ES. It has been confirmed that no muck will be spread on the land. The litter will go to local chicken litter power stations e.g., Eye Power Station or Thetford Power Station and no litter will be spread on the applicant's land. The contract at this stage, is for the majority of litter to go to Eye Power Station. This arrangement is policy compliant and is supportable and can be controlled by means of condition.
- 7.13 The decisions of *Squire v Shropshire* and *Keating v East Suffolk* have been raised in regard to the requirements on the LPA to determine the destination of effluent (litter and water) generated by poultry units, this is further noted in the expectations of emerging JLP Policy LP14 (e). In *Squire*

vs Shropshire the applicant had a permit for spreading manure on their land, but some of the manure would be spread on the neighbouring land, not covered by the permit. As such whilst the EA could control these matters it was not clear that the EA would, and in respect of third-party land it was clear that the EA would not. In Keating vs East Suffolk again, the issue was whether the LPA had considered the direct and indirect effects of the proposed development and associated effects from removal and spreading of manure. As noted above the litter manure in this case would be removed from the site and taken to local chicken litter power stations, with none spread on the land. A condition can adequately secure this per Squire vs Shropshire, to ensure that nothing 'falls between the cracks' and is included in this recommendation. Whilst JLP Policy LP14 (e) expects waste management to be secured through an approved waste management plan, and the proposals secures this by condition this is nonetheless considered acceptable. The condition would secure the policy expectation overall. Given that the JLP policies remain at modification stage and are not the adopted development plan, the policy can be afforded limited weight, and the minor conflict in the timing at which the information is provided is not considered to be determinative. Although not a planning matter, and as noted dealt under a different regulatory body (Environment Agency), it has been provided that currently wash water from the site is transported by a licenced contractor Ryan Poultry Services Ltd to a treatment lagoon at Thetford. The water is used to irrigate land at prescribed rates and, again, this arrangement is as per license from the Environment Agency.

- 7.14 Lighting: Given the countryside location and policy requirement of preserving the countryside for its sake, the external lighting should have a minimum impact on the environment and should reduce energy consumption, keeping night-time skies dark and reducing glare.
- 7.15 The proposal does naturally require some external lighting to ensure the safety of people and vehicles on site. Lighting for the proposed development will consist of personnel lights above doorways for health and safety reasons and directional LED floodlighting above vehicle doorways. No other lighting is proposed. As a result, the proposal has been designed to ensure energy efficiency and minimise light-spill impacts on the surrounding countryside, there would not be any unacceptable impact on either residential amenity or the appearance of the surrounding landscape in terms of light pollution, and this is secured by condition.
- 7.16 Disturbance: Transportation and HGV traffic through residential areas have the potential to impact on residential amenity. As described above in terms of highway safety, it is relevant to consider the context of this development where there is an existing level of disturbance experienced by residents arising from the mix of uses and range of other agricultural operations in the locality, together with the recent increase in delivered goods and services.
- 7.17 In assessing the disturbance impacts of this proposal, it is therefore necessary to consider the difference the operation of the development would have on local residents. There is a scatter of rural dwellings near the site, however the closest residential neighbours are associated with the existing farm operation, such that additional on-site operations are not likely to result in significant unacceptable disturbance impacts. The associated vehicle movements from the operation, most likely routed through Stradbroke, would be experienced in context with the existing vehicle movements in the local area and as described above, are not considered to be so significant as to be unacceptable. In considering amenity countryside users have also been considered, and the presence of a PRow is noted to the east of the application site, and the proposal would have no significant affect given its distance to the PRow.
- 7.18 Notwithstanding the above assessment, The Environment Agency permit also controls emissions and this includes consideration to noise, dust, and odour. The farm operates under a permit issued and regulated by the Environment Agency under Environmental Permitting (England and Wales)

Regulations 2016. This permit controls emissions to land, air, and water. The proposed expansion of the farm would naturally require a variation to the existing permit, (responsibility of the applicant), details of which have been provided, as an appendix in the Planning Statement, as approved by EA, Variation application number EPR/BP3633UQ/V006 & Permit number EPR/BP3633UQ.

Emissions including odours and waste would have been considered as part of this variation process by the Environment Agency who have been consulted on this proposal.

The proposal is not considered contrary to STRAD13, policy H16 of Midsuffolk local plan, and also para130 of the NPPF.

## 8. Flood risk, water resource and drainage

- 8.1 The application site lies entirely within Flood Zone 1 as identified in the Environmental Agency's Flood Map. Flood Zone 1: Fluvial and Tidal Flood Zone 1 has less than 1 in 1000 chance of flooding at a location in any one given year (i.e., less than 0.1% annual exceedance probability (AEP) of flooding).
- 8.2 Application documents include a flood risk assessment that describes the flood risks to and from the development on the site and the surrounding area. It also includes recommendations for mitigation of these impacts. The assessment has shown that the proposed development is located in Fluvial and Tidal Flood Zone 1 and of low risk of surface water, groundwater, or reservoir flooding. The report also includes information regarding the surface water runoff, which will discharge into a drainage system, designed to contain up to and including the 1 in 100-year rainfall event. To prevent pollution to the surface waters, underlying geology, and groundwater an appropriate level of water treatment stages has been incorporated into the design. To reduce the risk of flooding due to the failure of the surface water drainage system over its lifespan, a maintenance scheme for the drainage can be added as a condition.
- 8.3 The SCC Floods Officer raised some initial queries and requested additional information which has since been received. He now advises approval subject to conditions to mitigate the flood risk impacts of the development.
- 8.4 On the basis of the advice from the SCC and subject to the conditions recommended there are not considered to be unacceptable flood risk or drainage impacts arising from the development. The proposal is in compliance with Local Plan Policy CS5, NDP Policy STRAD 5 and para 169 of the NPPF.
- 8.5 The application site lies within the Hartismere Water Resource Zone, within which there is currently a moratorium from Essex and Suffolk Water for new non-domestic uses. There is supply for domestic uses, however there is not sufficient to meet all new forecast non-domestic demands. As set out in JLP Policy LP14 applications must consider and address the impact on water resources and the capacity of the water supply infrastructure network taking into account the Hartismere supply network.
- 8.6 The Applicants have reviewed their existing operation and water usage, along with options to meet the supply shortfall the proposed sheds require. The applicant has provided that there are four available options to cover this shortcoming, aside from increasing supply from Essex and Suffolk Water:
  - Water Storage;
  - Bore Water;

- Existing Second Supply; and
- Rainwater Harvesting.

- 8.7 This additional information has been forwarded to Essex and Suffolk Water (Northumbrian Water) and they have provided their comments herein.
- 8.8 In summary, based on the reports provided by the applicant, they have confirmed that the supply needed can be achieved using proven technical methods noted above. An application for prior approval of a reservoir has recently been granted (DC/23/01988), the proposal complied with the technical requirements of the prior approval, subject to ecology and archaeology conditions.
- 8.9 Essex and Suffolk Water have confirmed that their objections can be overcome by way of a condition, that has been agreed by the applicant. In the light of this and the progress towards obtaining permission for a reservoir by the application, the proposal is not considered to be unacceptable, having considered the impact on water resources and capacity, creating a solution, which can be appropriately conditioned to ensure that it comes forward alongside this proposal.

## 9. Ecology

- 9.1 The application site is part of Chippenhall Green Site of Special Scientific Interest (SSSI), which means that there is potential for ecology impacts. The application documents include an ecological assessment that describes the value of the site in terms of protected species and habitats. It concludes that the development would not have significant impacts and sets out recommendations for compensation and enhancements that will enable the development to be carried out whilst secure a biodiversity net gain, in accordance with the NPPF.
- 9.2 The council's ecology adviser has reviewed the assessment and proposed mitigation measures submitted with the application and advises that the updated assessment demonstrates that there is unlikely to be any impact upon the Chippenhall Green Site of Special Scientific Interest (SSSI) from increased ammonia. This is because the report appears to be completed appropriately and the predicted impacts will be below 1% in-combination assessment threshold. Matter of air quality has already been assessed by the district's EH Officer and no objection has been raised in this regard.
- 9.3 On the basis of this specialist advice and subject to conditions the development is considered to have no unacceptable impact on ecology and the council has discharged its statutory duties in this regard.

## 10. Other matters

- 10.1 The proposal would make a contribution to supporting the rural economy by aiding farm diversification and creating / supporting local employment. It has been provided that the proposal would result in the employment of three full time managers, part time staff (the exact number is unknown) and bolster other regional service and supply industries. The proposal would also support and sustain an existing poultry operation, which in turn would support poultry supply chain whilst allowing for the growth and development of Fennings Farm, as envisaged by the NPPF.
- 10.2 The operational sheds at Fennings Farm feed into the regional poultry network. The regional network of employment in and around Mid Suffolk, includes the processing plants, feed mills and farms, and onwards to suppliers, shops and restaurants.
- 10.3 The size of the development triggers the requirements of Core Strategy policy CS3, JLP Policies SP10 - Climate Change and LP23 - Sustainable Construction and Design, to secure the use of

renewable energy to meet some of the development's energy needs. Whilst there are no specific details in the application submission this can be controlled by condition for renewable energy measures, whilst it is also noted, and to be secured by condition, that the chicken litter will provide energy from waste.

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## **PART FOUR – CONCLUSION**

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### **11. Planning Balance and Conclusion**

- 11.1. The principle of appropriate agricultural diversification development is generally supported by the NPPF and the Development Plan providing the impacts of such development are acceptable or can be made so by planning conditions. Officers recognise the changing demand in the poultry market and the role of operations such as is proposed to the food production industry and the ongoing viability of the wider district and regional economy.
- 11.2. The impacts of the proposed development on the surrounding area and communities have been considered, taking account of specialist advice. The potential for harmful impacts in terms of material issues arising from the development can be removed and / or mitigated by appropriate conditions.
- 11.3. In addition to matters concerning traffic generation, other matters such as potential impact of factors including dirty water disposal, dead birds/fallen stock, odours, flies, and noise can be dealt with by way of suitable conditions. The views of third parties are noted, but the evidence submitted in support of them is not sufficient to indicate that the content or conclusions of the submitted documents are incorrect. The development would not have an unacceptable environmental impact, provided the necessary mitigating measures are carried out.
- 11.4. It is noted none of the statutory consultees raise any objections to this application. It is noted neither Natural England nor the Environment Agency object to the application.
- 11.5. The application is EIA development and as such is accompanied by an assessment to identify the potential impacts of the development on the environment and this on balance is considered acceptable. The development has been considered with regards to Stradbroke Neighbourhood Plan (policies STRAD 1, 2, 5, 11, 12 and 13), local plan policies, JLP policies and the guidance contained within the NPPF. The impacts of the proposed development on the surrounding area and communities have been considered, taking account of specialist advice. As such the application is considered supportable.

### **RECOMMENDATION**

That authority be delegated to the Chief Planning Officer to Grant planning permission:

**(1) That the Chief Planning Officer be authorised to GRANT Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

- Approved Plans (Plans submitted that form this application)
- Action required prior to commencement of development:

- Phasing Plan for Development and Water Supply.
- Recommended conditions by SCC Highways:
  - All HGV delivery traffic movements
  - Loading, unloading, manoeuvring, parking & EV Charging points
  - Provision visibility splays, access,
  - Construction Management Plan
- Recommended conditions by Archaeologist:
  - Investigation and post investigation assessment
  - Implementation of a programme of archaeological work
- Recommended conditions by Ecologist
  - Action in accordance with the Ecological Impact Assessment
  - Wildlife Sensitive Lighting Design Scheme
  - Landscape And Ecological Management Plan
- Landscaping conditions
  - Timescale For Landscaping
- Recommended condition by LLFA
  - Surface water drainage details in accordance with FRA
- Energy efficiency scheme
- Agreement of materials
- Waste management plan to secure removal of litter from the site to provide chicken litter energy

**(2) And the following informative notes as summarised and those as may be deemed necessary:**

- Proactive working statement
- Floods Informatives
- SCC Highways notes
- Support for sustainable development principles
- Anglian Water advisory notes
- Fire advisory note