

AGENDA ITEM NO: 8/1(b)

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| Parish: | Methwold | |
| Proposal: | Proposed poultry unit | |
| Location: | Methwold Airfield Brandon Road Methwold Norfolk | |
| Applicant: | J W Spencer Farm Ltd | |
| Case No: | 16/01963/FM (Full Application - Major Development) | |
| Case Officer: | Mrs N Osler | Date for Determination: 10 March 2017 Extension of Time Expiry Date: 7 April 2017 |

Reason for Referral to Planning Committee – The views of Feltwell Parish Council is contrary to the Officer recommendation

Case Summary

The application is for full planning permission for a poultry unit on land within Methwold Airfield, off Brandon Road, Methwold.

The proposal is for 6 individual sheds each measuring 24.4m by 91.4 m, with eaves height of 2m and ridge of 5.5m. Each shed has 18 vent extract fans positioned in the roof which project 1.4m above the ridgeline.

The sheds are positioned in pairs with feeder bins measuring 7m in height posited between them.

Key Issues

Principle of Development
Landscape Impact
Impact on Heritage Assets
Impact upon Neighbour Amenity
Highway Implications
Habitats Regulations and Appropriate Assessment
Ecology
Pollution and Contamination Issues
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The site lies within an area designated as countryside according to the Development Plan Proposals Maps.

16/01963/FM

Planning Committee
8 May 2017

Methwold is classified as a “Joint Key Rural Service Centre” (with Northwold) according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site lies to the west of Brandon Road, Methwold and to the south of Methwold village and to the northeast of the settlement of Feltwell. Whilst wholly contained within the Parish Boundary of Methwold the site does lie adjacent to the northern most element of the Parish Boundary of Feltwell.

The site was historically part of Methwold airfield (a WWII airfield) and lies on the southern side of the former east-west runway, but is currently arable land.

The site is sheltered from wider public view although on a Public Right of Way (PROW). The PROW however finishes at a dead end and is therefore not heavily used if used at all.

The site is accessed via an existing entrance on the western side of Brandon Road, Methwold along existing tracks that serves arable land, a small cluster of dwellings and an anaerobic digestion plant.

The site will house up to 300,000 broilers (young chickens) in six individual sheds each measuring 24.2 m x 91.4m. Eaves and ridge heights will be 2.6 metres and 6 metres respectively. Each pair of houses will be equipped with 2 x 20 tonne feed bins which are 7m high.

Broilers will be purchased as day old chicks and will be a mixture of males and females. Female birds will be removed from the site at approximately 38 days old and males at 42 days old. Mortalities will be removed on a daily basis and stored in sealed containers. A specialist contractor then collects them from site once a week.

The total cycle length, including the clearing out and reinstatement period, will take approximately 52 days. It is likely therefore, that there will be around 6.5 cycles/annum.

The average number of vehicles per week is 9.1 (18.2 movements) with the most movements occurring at the beginning and end of each cycle.

In addition to the operational movements, there will be up to 3 staff using the site on a daily basis.

Constructing the facility is expected to take approximately 6 months.

SUPPORTING CASE

The site is major development and is supported by a Design and Access Statement, Environmental Statement (including FRA, Ecology report, Drainage Strategy, Odour report, Landscape and Visual impact report, non-technical Summary), Heritage Statement, Ammonia Report and Highways swept path analysis.

The following statement has been submitted in support of the application:

J W Spencer Farms Ltd has farmed in Methwold since the 1930's. They are a family business which has responded to market and environmental changes. For most of the 20th century the farm was arable and dairy, evolving more recently a progressive mix of arable, vegetable and potato enterprises dealing with retail customers such as Waitrose and Tesco and winning two Waitrose producer awards.

The farm now seeks to diversify into poultry production, recognising the UK as a net importer of poultry meat. This enterprise will provide new local employment, ensure production of ethically produced poultry to the highest environmental standards, in a safe manner for the birds and the surrounding environment alike.

This new enterprise will greatly reduce the environmental impact of poultry production compared to many existing aging units, it will reduce potential bird flu incidents in the national flock and improve UK's self-sufficiency for a healthy low fat, high quality protein food, rather than importing such food from the southern hemisphere without the same welfare and environmental standards.

PLANNING HISTORY

No recent relevant history.

RESPONSE TO CONSULTATION

Parish Council: The site lies within Methwold Parish and on the edge of Feltwell Parish therefore both Parish Councils were consulted.

Methwold Parish Council SUPPORT the proposal subject to Highways being satisfied in regards of traffic / turning movements on the Brandon Road

Feltwell Parish Council strongly OBJECTS due to the volume of construction and agricultural traffic this will generate through Feltwell and the smell the poultry unit will create.

Highways Authority: NO OBJECTION to the proposed development on highway safety grounds subject to a condition to improve the existing access

NCC Public Rights of Way: In principle I have **NO OBJECTION** to the proposal but would draw to your attention that the main access to the site is via a farm track that also carries Fp33 Methwold. The proposal will increase vehicular traffic to both construct and maintain the facility. The access track is largely of concrete construction so should withstand the additional traffic without damaging the surface of the footpath but the applicant does need to be aware that they may encounter pedestrians when using the route and retain the responsibility to maintain the track.

As a recreational footpath the route is somewhat compromised by being a dead end. The historic routes across the land were stopped up to facilitate the construction of the WW2 airfield and the link was never re-established once the airfield became redundant. The location of the application site offers the opportunity to use the access track to extend pedestrian access almost as far as the link to the remainder of the original path on the west of the airfield (now Feltwell Fp10) and it is possible that the landowner has control over sufficient land to re-establish the full connection between the two paths.

Heritage Environment Service, NCC (HES): HES is satisfied that the proposed development would have 'less than substantial harm' on the historic environment and do not believe conditions for a programme of archaeological works is necessary.

Environment Agency (EA): The previous use of the proposed development site as an airfield presents a risk of contamination that could be mobilised during construction to pollute controlled waters.

Controlled waters are particularly sensitive in this location because the proposed development site is within 200 metres of a known licensed groundwater abstraction and is located upon a Principal chalk Aquifer within the Water Framework Directive (WFD) designated Cam and Ely Ouse Chalk.

However, the EA considers that planning permission could be granted to the proposed development as submitted subject to the inclusion of conditions relating to contamination / pollution control.

Environmental Health & Housing - Environmental Quality:

Contaminated Land

No Comments to make regarding contaminated land.

Air Quality

The application is for 6 poultry sheds housing up to 300,000 birds. As the site will house > 40,000 birds, pollution control will fall under the environmental permitting regime regulated by the Environment Agency.

The application includes an Environmental Statement (ES), which contains an assessment of odour and brief sections on noise and dust. I understand that my colleagues in CSNN will comment on odour and noise.

I am concerned to ensure that the development will not cause an exceedance of air quality standards for particulates (PM10). The ES provides some detail of the ventilation system and concludes that due to the high speed ridge ventilation there will not be large amount of dust deposited locally and that the separation distance to the nearest sensitive receptors is such that standards will not be exceeded. The nearest receptors are identified in the odour assessment: 'The closest residences are at; the southern end of Buntings Lane, Methwold, which is approximately 930 m to the north-north-east of the site of the proposed poultry houses; Feltwell Farm, approximately 970 m to the south-east and Muriel's Farm, approximately 870 m to the south.'

I have checked the risk of exceeding the 24 hour mean PM10 using the screening methodology in Local Air Quality Management Technical Guidance (TG16, DEFRA April 2016). The screening suggests that the process contribution to PM10 is <1µg/m³ at the nearest sensitive receptor. This indicates that there is a very low risk of exceeding the 24 hour mean PM10 objective at the nearest sensitive receptor as a result of emissions from the poultry farm.

Therefore I have no objections to this application regarding air quality. Should the application be successful, we will take account of the presence of the poultry unit in our Annual Status Report for air quality.

CSNN: I have reviewed all the information submitted in relation to this application. As the proposal is for the site to house > 40,000 birds, pollution control will fall under the Environmental Permitting regime regulated by the Environment Agency, therefore control will fall to them to monitor odour and pollution levels. The design and fabrication of the buildings, along with the operational methods and requirements of infection control, should ensure that odour will be minimised and adequately dispersed so as not to affect residents in the locality. In terms of noise, the distance to the nearest residential receptors exceeds 900m, so noise from vehicles on site, extraction and cooling fans etc. should not affect them.

Naturally we would expect that there are regular checks done as part of the daily routines of housekeeping on site to check for any visible build-up of dust on roofs and the surrounding ground, in order that dampening down/washing away can be undertaken to prevent winds lifting and carrying this off-site. In the same way, we would expect significant odour issues, which should be rare, to be promptly addressed through housekeeping methods, and I recommend that staff consider a drive or walk-round the site perimeter, perhaps monthly, to undertake their own sniff-tests on the air and odour levels, with a view to taking mitigation action if needed.

I do recommend adding the EPA Informative to any approval issued.

Natural England (NE): Following the submission of further information [in relation to ammonia emissions] NE agrees that the onsite mitigation measures will be likely to result in a substantial reduction in ammonia emissions and are therefore satisfied that the proposal is not likely to significantly affect Breckland Forest Site of Special Scientific Interest (SSSI), a component of Breckland Special Protection Area (SPA), either alone or in-combination. In addition it confirms that the Council as the competent authority is required to carry out an appropriate assessment.

REPRESENTATIONS

ONE letter of **OBJECTION** has been received that relates to a public right of way that was closed when the airfield was built just before the Second World War. This development would prevent the PROW being reopened.

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

OTHER GUIDANCE

Methwold Parish Plan

PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this application are:

- Principle of Development
- Landscape Impact
- Impact on Heritage Assets
- Impact upon Neighbour Amenity
- Highway Implications
- Habitats Regulations and Appropriate Assessment
- Ecology
- Pollution and Contamination Issues
- Other Material Considerations

Principle of Development

The application seeks consent for the erection of a Poultry Unit. The site is in an area designated as countryside according to the Local Plan proposals maps and is currently in arable use.

Paragraph 28 of The National Planning Policy Framework “Supporting a prosperous rural economy” states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

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

Policy CS06 and CS10 of the Local Development Framework Core Strategy refer to the economy and farm diversification schemes.

In accordance with Policy CS10 ‘The Economy’ the council will be supportive of schemes that:-

- Meet sustainable development objectives and help to sustain the agricultural enterprise;
- Are consistent in scale with the rural area;
- Are beneficial to local economic and social needs; and
- Do not adversely affect the surrounding area or detract from residential amenity.

Whilst there are no specific Development Management Policies in regards to the rural economy, policy DM 2 'Development boundaries' states that new development in the countryside will be limited to certain types that are 'suitable for rural areas' including farm diversification; small scale employment; and tourism facilities.

The list in policy DM2 is not exclusive and allows other forms of development if they are deemed 'suitable'. It is difficult to envisage where a development such as that proposed would be located if not in the countryside. Consequently, it is considered that the proposal could be supported in principle in terms of National and Local Policy subject to satisfying other material considerations as outlined below.

Landscape Impact

The National Planning Policy Framework requires planning authorities to ensure that development functions well and adds to the overall quality of the area, not just for the short term but over the lifetime of the development (paragraph 56); and that the planning system contributes to and enhances the natural and local environment by protecting and enhancing valued landscapes (paragraph 109).

The NPPG refers to the opportunity for high quality hard and soft landscape design that helps to successfully integrate development into the wider environment from the outset.

In terms of local policy, Policy CS06 of the Local Development Framework Core Strategy requires development in rural areas to maintain the local character and to protect the countryside for its intrinsic character and beauty. Policy CS08 requires all new development to respond to the context and character of places in West Norfolk, by ensuring that the scale, density, layout and access will enhance the quality of the environment.

Development Management Policy DM15 requires development to protect and enhance the amenity of the wider environment and in respect of landscape impact, the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting.

In order to assess the landscape impact of the proposal, the application has been supported by a Landscape Visual Impact Assessment (LVIA) by.

The report analyses the sensitivity of the landscape to development and the effect the proposal would have on the landscape.

The LVIA concludes that the scale of the effect in this case is limited by the suggested location for the buildings where there is limited visibility due to the existing woodland and shelter belts.

The buildings themselves will have a uniform appearance and low eaves' heights which will further limit their visibility. The use of sympathetic colours for the cladding and roofing materials can also help to reduce visibility by preventing the creation of a strong contrast with the surrounding areas.

The landscape is relatively flat and open, but the intervening hedges, woodlands and shelter belts limit views into the site and effectively screen the development.

The location for the proposed group of buildings will not create a new focal point in the landscape as there are only limited views of the buildings from off the former airfield site and no views of the buildings from public roads or paths or from nearby residences.

The location of the proposed development is not a particularly sensitive location which limits the significance of the visual effect on the landscape.

The development will not result in the loss of any of the characteristic landscape features, or detract from the landscape character. The existing woodland and shelter belts are very effective in providing screening and actively contribute to the local landscape character.

Impact upon Heritage Assets

A Heritage Statement (HS) accompanied the application.

The HS concludes that the airfield is a non-designated heritage asset of some significance although the proposal causes no harm to the historic or commemorative values which contribute so much to that significance.

The scale of the airfield is large and the landscape is flat, affording long views along the runways and roads. The proposed sheds will appear as functional buildings set and absorbed into this landscape. They cause no visual harm to the airfield's setting.

There is precedent for the siting of agricultural buildings on this and other airfields. They are buildings of limited life and come and go over time. The site is fairly remote from habitation and softened by the presence of nearby plantations. The proposal causes no harm to surviving features of the airfield, including its runways and perimeter road.

If any harm is perceived, then in terms of the National Planning Policy Framework it is 'less than substantial'. The public benefits which accrue include supporting the national food supply, reducing reliance on imported food and reducing produce miles and therefore fossil fuel consumption. The proposal encourages rural employment and local agriculture, enabling farm diversification. The benefits outweigh any harm caused by the development to the significance of this non-designated heritage asset.

The site may have archaeological interest and there may be buried archaeology. Poultry sheds have shallow foundations and cause relatively little disturbance. However, if archaeology is a real concern, then an appropriate and proportionate condition could be attached to the planning permission. It should be noted that the site has been in long term arable cultivation and there are no records of any archaeology being found on there.

Paragraph 135 of the NPPF states that, "In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"

In this case the balance is in favour of the proposed development. It satisfies both national planning guidance and local planning policies.

Norfolk County Council's Historic Environment Service has studied the Heritage Statement and "agree with its conclusion that the proposed development will have 'less than substantial harm' on the historic environment". As such HES do not believe conditions for a programme of archaeological works are necessary.

Impact upon Neighbour Amenity

There is no detrimental impact upon neighbour amenity as a result of the structures given the distance from any residential properties.

However the Feltwell Parish Council has expressed concerns relating to traffic and odour.

Given that the number of birds on the site would exceed 40,000, an Environmental Permit application is required from the Environment Agency before any operations take place on the site. The permits have conditions that are designed to prevent or reduce pollution and prevent harm to human health.

The Environment Agency can look specifically at the following neighbour amenity issues in relation to poultry unit Environmental Permit applications:-

- General operational management of the proposed facility
- Handling and storing of raw materials or materials used in the activity
- Control of odour, noise, litter and pests
- Control of handling and storage of residual wastes from the process e.g. poultry manure, dirty waste, biomass boiler ash etc.
- Potential impacts on health, with advice from Public Health England as the responsible authority on the issue

Once a permit has been granted, the Environment Agency monitors how the operator complies with the conditions of the permit in order to protect the local environment and human health.

It is therefore not deemed necessary to discuss the impacts of any of the issues covered under the permit as the planning system should not replicate the provisions of other legislation. It is however worth noting that the Environmental Health Community Safety and Neighbourhood Nuisance team raises no issues to conclusions made in the noise and odour reports.

The Environment Agency does not however consider the impact of HGV movements associated with the site.

Highway Implications

The site is accessed from the Brandon Road (B1112) at a point approximately 1km outside of Methwold. The road is the main route between the settlements of Brandon and Methwold. The A11 and A10 are only a short distance away.

Traffic movements

The average number of vehicles per week is 9.1 (18.2 movements).

Proposed – 300,000 Birds

| Commodity | Delivery/Collection | Week | | | | | | | Total |
|-------------------|----------------------|-----------|----------|----------|----------|----------|-----------|-----------|------------|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
| Gas & shavings | Delivery 25 tonnes | 6 | 2 | | | | | | 8 |
| Feed | Delivery 38 tonnes | 3 | 6 | 6 | 7 | 7 | 7 | | 36 |
| Chicks | Delivery 20 tonnes | 5 | | | | | | | 5 |
| Birds | Collection 21 tonnes | | | | | | 15 | 35 | 50 |
| Litter | Collection 20 tonnes | | | | | | | 16 | 16 |
| Carcass | Collection 20 tonnes | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 7 |
| Dirty Water | Collection | | | | | | | 6 | 6 |
| Total/Week | | 15 | 9 | 7 | 8 | 8 | 23 | 58 | 128 |

It can be seen from the table above that generally the predicted amount of traffic movements is low, apart from the relatively short periods at the beginning and particularly the end of each cycle when the mature broilers are taken away for slaughter.

The variety of vehicle types, loads and therefore starting points/destinations will mean that movements will be distributed fairly quickly on leaving the unit onto which the farm track accesses. Given this is an agricultural area where peaks and troughs in farm vehicle movements are common it is considered that the increase in movements will have little environmental effect.

In addition to the above HGV/tractor movements, there will be a requirement for staff to visit the site. There would be 3 staff if the unit was operating at capacity, it is hoped at least one of these will live on site.

The Transport Section of the EIA suggests that there is no requirement for any mitigation because the road network is good as is the access point which will mean the impact will be low.

The Local Highway Authority (LHA) raises no objection to the proposed development but does consider that the existing access should be improved. This can be suitably conditioned if permission is granted.

Habitats Regulations and Appropriate Assessment

Natural England has confirmed that the site is within 2km of Breckland Special Protection Area (SPA), a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The site is also notified at a national level as Breckland Forest Site of Special Scientific Interest (SSSI).

In accordance with the requirements of Regulations 61 and 62 of the Habitats Regulations, because the proposal is not necessary for the management of the European Site, and given the air quality assessment submitted with the application has concluded that significant effects on Breckland Forest SSSI due to ammonia deposition cannot be ruled out, it was necessary for the LPA to undertake an Appropriate Assessment (AA).

An updated ammonia report and ecology report were submitted along with proposals for mitigation to address effects due to changes in air quality to Breckland Forest SSSI/Breckland SPA to enable the LPA to undertake the AA.

The purpose of an AA is to assess the severity of any potential adverse impacts on the qualifying features of a European site with the aim to determine whether the proposal would adversely affect the integrity of the site.

The conclusion of the AA is that the development would not have a significant adverse effect on the integrity of a Natura 2000 site and that, in this regard, planning permission could be granted.

Ecology

A Preliminary Ecological Appraisal was undertaken. Individual impacts on protected species are listed below:

Bats - There are no trees or buildings within or bordering the application site that have bat roost potential. There are two corrugated sheet pre-fabricated agricultural buildings to the east with no bat roosting potential. The woodland trees to the south-west and south-east may support roosting bats but these are over 50m from the proposed buildings and so will not be directly or indirectly disturbed subject to sensitive lighting schemes.

Nesting birds - Skylarks were observed hovering and calling high above the arable field to the north of the site. This is characteristic of territorial behaviour, and suggests the presence of nests on the ground. The plantation woodland areas offer potential nesting sites for breeding birds. It is recommended that site clearance is carried out during the period between 15th September and end of February to avoid the main bird nesting season. If this is not possible, then a nesting bird survey should be carried out by an experienced ecologist. The site is outside of the 1.5km Breckland SPA consultation and stone curlew buffer zone.

Great crested newts - There are no ponds within 500m of the proposed buildings and the large arable fields are a poor terrestrial habitat for great crested newts and so it was considered extremely unlikely that great crested newts would occur on the development site. There are no historical records within the 2km search radius.

Reptiles - An assessment of the site to provide refuges and/or hibernaculum for common reptiles was made. There are no obvious reptile habitats present within the proposed construction areas although the scrub and semi-improved grassland habitat to the south and southeast that adjoin the site provide potential habitat. The landscape consists of predominantly arable land, it is therefore unlikely that reptiles would be present in the wider area or may utilize the development site. There are no historical reptile records in the immediate area.

Badgers - Mitigation is proposed and this can be suitably conditioned if permission is granted.

The report does not refer to the need to acquire a European protected species license, however in exercising its functions, including determining planning applications, a Local Planning Authority (LPA) is required to have regard to the requirements of the Habitats Directive (prohibits activities such as the deliberate capturing, killing or disturbance of protected species, subject to derogation in specific and limited circumstances. These requirements are enforced in England and Wales by the Conservation of Habitats and Species Regulations 2010 (the Regulations) and any derogation is regulated and overseen by a system of licensing administered by Natural England (NE)) in so far as they may be

affected by the exercise of those functions. It is not the role or responsibility of the LPA to monitor or enforce NE's obligations under the Regulations. However, if a development proposal could potentially result in a breach of the Directive, the LPA is required to form a view on the likelihood of a licence being granted under the Regulations by NE in order to fulfil its own obligation to have regard to the Directive requirements.

NE will only grant a licence if satisfied that the three statutory tests prescribed under the Directive and the Regulations have all been met.

The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and
3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status.

It is understood that the level of detail required for a licence application to NE under the Regulations may not yet be available at the planning application stage. Also, the level of detail required for NE to satisfy the tests of derogation will usually be higher than that required in the planning consent process. However, the obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

In this case, a Phase 1 habitat survey concluded that the potential for impacts to local wildlife is low.

However there is the possibility that badgers may be present and that if development were to proceed, there is the possibility of a breach of the Directive. Therefore the LPA is required to consider the tests:

1. IROPI - NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. Furthermore the requirements for economic or social development can be considered. The proposal would comply with the provisions of creating and sustain employment opportunities in the borough of West Norfolk.
2. No satisfactory alternatives – the Environmental Statement has identified that no satisfactory alternative is available for the proposal. The site has an existing access and is away from dwellings so there are no odour implications and the site is at distance from designated ecological sites.
3. Population maintenance - it is unlikely that development of a relatively small parcel of land, with appropriate mitigation, will detrimentally impact the conservation status of the protected species.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application that NE would not be unlikely to grant a derogation licence under the Regulations in relation to this development and that planning permission should not be refused for this reason.

Pollution and Contamination Issues

The Environmental Health and Housing – Environmental Health and Housing team have no objection to the impact upon air quality. Air quality and the impact on Human Health are also covered under the Environmental Permit regulations.

The Environment Agency has commented on the pollution of groundwater and has recommended 3 conditions in regards to potential groundwater pollution and contaminated land. Given the previous use of the field as an airfield, the excavation involved could result in potential contamination of the groundwaters. If permission is granted the requested conditions would be appended.

For the avoidance of doubt and in relation to the dirty water tanks, a condition is imposed in regards to their capacity and siting, under a foul water drainage condition.

The spreading of manure on adjacent farmland is appropriate according to the Environment Agency provided they adhere to the Nitrate Pollution Prevention Regulations 2015.

Other Material Considerations

Construction Phase

The construction of the unit will involve the following phases:-

- a) Preparation.
- b) Strip soil and put to one side
- c) Formation of new bases on new sites.
- d) Erection of frame and installation of services. The frame will be all pre-designed and the erection process will take a matter of a few days.
- e) Concreting and building works.

In total construction is expected to take approximately 6 months. During construction there will be vehicle movements, but these will last for only a short period whilst materials are being delivered, particularly stone and concrete which make up 2/3 of the likely vehicle movements. Over a typical construction period there would be expected to be 4 HGV and 3 light vehicles per day on average. Given the existing access and road network this will not cause any impact of concern.

All framework and equipment will be delivered ready to fit so there will therefore be no concern noise wise at building erection phase. There will, however, be some noise when finishing the concrete floor, although this will be for short periods.

One third party objector has raised a concern that a public right of way that he was hoping would be reopened will not be able to if this development goes ahead. In relation to this, the PROW officer suggests that the applicant could make an improvement to this right of way. However, the footpath has ended in a dead end since the site was used as an airfield in WWII. It is not considered reasonable or necessary to require the applicant to make improvements to the footpath as part of this application.

CONCLUSION

No objections have been received from statutory consultees on technical issues.

In terms of neighbour amenity issues, the proposal is subject to stringent controls on odour and noise by virtue of the requirement to comply with the Environmental Permit Regulations.

What noise emanates from the site is only slightly above background noise levels at the nearest residential receptor. Odour levels that are emitted from this process are on average below the EU tolerance rate of being a nuisance. The structures themselves are a considerable distance from the nearest neighbour that they would not cause any overbearing, overshadowing or overlooking issues.

As a percentage of the total amount of vehicular movements on the highway the proposal is not significant. The highways officer subject to conditions has no objection to the proposal.

The potential contamination of water supply can be adequately addressed by details in regards to remediation and foul and surface water drainage.

The impact upon protected species has been considered during the application and should a license be required for the works, to be gained from Natural England then it is likely to be granted.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans 200.01, 200.03, 200.04 and 21363/002 Rev.B.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
 3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.
 4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

- 3 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 4 Condition If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 4 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 5 Condition Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.
- 5 Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).
- 6 Condition Prior to first occupation, the development hereby permitted shall be carried out in accordance with the mitigation contained in the supplementary Ammonia Report dated 22 March 2017.
- 6 Reason In order to protect Breckland Special Protection Area (SPA) and Breckland Forest Site of Special Scientific Interest (SSSI) in accordance with the NPPF and Habitats Regulations.
- 7 Condition Prior to the commencement of the use hereby permitted the vehicular access shall be widened in accordance with the Norfolk County Council industrial access construction specification in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority for the first 44 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 7 Reason In the interest of highway safety and traffic movement in accordance with the NPPF and Development Plan.
- 8 Condition The development hereby permitted shall be carried out in accordance with the mitigation, biodiversity enhancements and further survey sections (sections 7, 8 and 9) of the Preliminary Ecological Appraisal undertaken by ECO-CHECK dated August 2016 that accompanied the application unless otherwise agreed in writing.
- 8 Reason To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.

- 9 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.