Parish:	**Feltwell** **Methwold**	
Proposal:	**Demolition of existing buildings and construction of new buildings in connection with pig finishing provision and other associated works**	
Location:	**Feltwell Farm Lodge Road Feltwell Thetford IP26 4DU**	
Applicant:	**Wayland Farms Ltd**	
Case No:	**22/00860/FM (Full Application - Major Development)**	
Case Officer:	**Mrs C Dorgan**	**Date for Determination:** **8 September 2022** **Extension of Time Expiry Date:** **30 September 2023**

Reason for Referral to Planning Committee – Called in by Councillor Ryves

Neighbourhood Plan: No

Case Summary:

This application seeks planning consent for the demolition of 22 existing buildings and construction of 14 modern pig rearing units to house 14,000 pigs on a straw based system at Feltwell Farm.

The total site area is approximately 12.9ha. The site is located to the south of the village of Methwold, and north of the village of Feltwell, in the open countryside. The site currently consists of a series of redundant agricultural sheds, within a wider setting of agricultural land interspersed with tree belts. To the east of the site is Warren Energy an operational Anaerobic Digestion (AD) plant at Methwold Farm, to the south are residential dwellings.

The site is part of a larger intensive pig farming facility (known as Methwold Farm Pig Unit) which is spread over three sites. The application site includes a number of buildings which currently house pigs. However, due to the limitations with some of the buildings, only approximately 4,500 pigs are housed at Feltwell Farm (the application site) and another 3,000 at Airfield Farm outside of the site boundary, to the west.

Access to the site would be via the B1112, heading north on to Warren Road and then turning west onto a private road which would lead to the site. On leaving the site vehicles would leave the site via a new / upgraded private road which runs to the south

of the existing tree belt, and then going on to an existing private road which runs north to south. This private road would then exit onto the B1112 (west of Warren Road).

Alongside this application the Applicant has submitted an application for 'Demolition of existing poultry sheds, construction of 20 new poultry sheds, 4 workers dwellings and associated infrastructure.' ref: 22/00866/FM. The application is for land to the east of this application site. The two sites will operate in conjunction utilising the same access routes. These are within the ownership of one owner / operator.

The applications have been submitted alongside each other to enable a collective assessment of the two schemes. A joint Environmental Statement has been submitted for the two applications. Likewise, much of the supporting documentation has considered the impacts of the two applications as one larger proposal.

Key Issues:

- Environmental Statement matters
- Principle of development
- Transport and Impact on the highway network
- Ecological impacts
- Climate change
- Air Quality and Contamination
- Neighbour amenity
- Form and character
- Drainage and Flood risk
- Heritage assets
- Water Extraction
- Any other material considerations
    - Animal welfare
    - Need for the development
    - Cranswick operations elsewhere
    - Public health
    - Legal agreement
    - Public protest
    - Any other matters requiring consideration prior to determination.

Recommendation:

REFUSE

THE APPLICATION

This application seeks planning consent for the demolition of 22 existing buildings and construction of 14 modern pig rearing units to house 14,000 pigs on a straw based system at Feltwell Farm.

The total site area is approximately 12.9ha. The site is located to the south of the village of Methwold, and north of the village of Feltwell, in the open countryside. The site currently consists of a series of redundant agricultural sheds, within a wider setting of agricultural land interspersed with tree belts. To the east of the site is Warren Energy an operational Anaerobic Digestion (AD) plant at Methwold Farm, to the south are residential dwellings.

The site is part of a larger intensive pig farming facility (known as Methwold Farm Pig Unit) which is spread over three sites. The application site includes a number of buildings which currently house pigs. However, due to the limitations with some of the buildings, only approximately 4,500 pigs are housed at Feltwell Farm (the application site) and another 3,000 at Airfield Farm outside of the site boundary, to the west.

Access to the site would be via the B1112, heading north on to Warren Road and then turning west onto a private road which would lead to the site. On leaving the site vehicles would leave the site via a new / upgraded private road which runs to the south of the existing tree belt, and then going on to an existing private road which runs north to south. This private road would then exit onto the B1112 (west of Warren Road).

The fourteen pig finishing units proposed would have the capacity to house 14,000 pigs on site.

Each pig unit would be constructed to house up to 1,000 pigs and would be approximately 13,000 square metres. They would be approximately 6.4m high at the dirty end and 6.1m at the clean end with 6m high stacks for ventilation, giving a total height of 12.1m to 12.4m. The units would have a galvanised steel pig feeder bin approximately 9.1m in height and 3.4m in width. The units would be arranged in a rectangular formation of two rows of seven buildings. In addition, a new straw bin would be constructed to the north of the new pig sheds which would be 31m wide (2,050 square metres) and 10.2m to the ridge height. A water service shed would be constructed measuring 8m long and 3.3m wide alongside an area of concrete hard standing for water tanks 10m by 4m. These would be to the west of the proposed straw storage area. The pig facility would utilise pre-fabricated buildings manufactured offsite and delivered in parts, assembles onsite using concrete pad foundations.

Details have been provided by the Applicant regarding the operation of the pig facility including the cyclical nature of the livestock rotation, the treatments of waste (manure and slurry), fallen stock procedures, biosecurity, disease and fire precautions and procedures.

Application on adjoining site

Alongside this application the Applicant has submitted an application for ‘Demolition of existing poultry sheds, construction of 20 new poultry sheds, 4 workers dwellings and associated infrastructure.’ ref: 22/00866/FM. The application is for land to the east of this application site. The two sites will operate in conjunction utilising the same access routes. These are within the ownership of one owner / operator.

The applications have been submitted alongside each other to enable a collective assessment of the two schemes. A joint Environmental Statement has been submitted for the two applications. Likewise, much of the supporting documentation has considered the impacts of the two applications as one larger proposal.

Pre-application advice and Consultation

Pre-application advice (ref 21/00077/PREAPP) was sought from the local authority in April 2021, a meeting was held and the advice issued in July 2021. There was also an EIA scoping process carried out with the authority and key stakeholders.
The preapplications process concluded that based on an overview of the proposal, 'Based on the content of the Scoping Opinion and addressing the issues identified above to the satisfaction of statutory consultees, the scheme is likely to receive officer support if pursued with a formal planning application. There is therefore a possibility of approval for the proposed development.'

Prior to the submission of the planning applications, meetings were held with Feltwell Parish Council and Methwold Parish Council in September/ October 2021. Due to the Coronavirus pandemic, the Applicant states they were unable to hold a public consultation event. However, leaflets were distributed to the dwellings closest to the application suite to advise them of the proposals. Planning Practice Guidance states that pre-application engagement is encouraged where it will add value to the process and outcome, but it is not mandatory for this type of development.

Revisions to the application

The planning application was submitted in April 2022. Subsequently, application amendments were proposed to the documents/ information, most notably in February 2023 and October 2024. The revised information was subject to consultation in line with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). A significant number of comments have been received from consultees and third parties.

The Environmental Statement

The application is EIA Development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and therefore is accompanied by an Environmental Statement (ES). The required advertising has been carried out in accordance with the Regulations. The ES has been updated through the life of the application with revisions and addendums, however the latest iteration was a full revision dated and received in October 2024.

The Environment Agency permit

Due to the nature and scale of development proposed the Applicant is required to apply to the Environment Agency for an environmental permit. The permit application is for a 'Regulated facility type: Section 6.9 A(1)(a) Rearing of poultry or pigs intensively in an installation with more than: (i) 40,000 places for poultry and (ii) 2,000

places for production pigs (over 30kg). The regulated facility location: Methwold Farm Pig Unit, Methwold Farm, Brandon Road, Methwold, Thetford. The application has been submitted but additional information has been requested and a view has not yet been taken by the Environment Agency.

The CSNN and the Environmental Quality teams were consulted by the Environment Agency in relation to the Environmental Permit application. A joint response from both teams was submitted and has been published. The Environmental Permit consultation response was made with reference to documents submitted to the Environment Agency in support of that application (which are not the same as the documents relating to the planning applications).

It is important to clarify that the EA permit is a separate regulatory process and does not form part of the planning application. For clarity the EA permit will take account of-

- Relevant environmental regulatory requirements and technical standards.
- Information on local population and sensitive sites.
- Comments on whether the right process is being used for the activity, for example whether the technology is the right one.
- The shape and use of the land around the site in terms of its potential impact, whether that impact is acceptable and what pollution control or abatement may be required.
- The impact of noise and odour from traffic on site.
- Permit conditions by providing information that we have not been made aware of in the application, or by correcting incorrect information in the application (e.g. monitoring and techniques to control pollution).

However, the permit cannot take account of –

- Issues beyond those in the relevant environmental regulations.
- Anything outside the remit of the EPR, e.g. the proposed location of the site, which is done by the local authority via land use planning.
- Whether a site should have a formal designation under Habitats Directive or other conservation legislation.
- Whether the activity should be allowed or not as a matter of principle. For example the EA will not consider whether wood, gas, or coal should be burnt to produce electricity; only that the options and environmental impact of say wood has been considered. The EA will not consider whether a waste incinerator proposal should be turned into a sorting and recycle proposal, only that the incinerator options and effect have been considered.
- Land use issues when determining a permit application, even if changing the location of the activity would improve its environmental performance.
- The impact of noise and odour from traffic travelling to and from the site.
- The legally defined process the EA follow to determine a permit.
- The granting of a permit/variation if the operator is able to demonstrate that they can carry out the activity without significant risk to the environment or human health.

For clarity, the representation submitted by the Environment Agency in response to this planning application only. It does not reflect the view of the Environment Agency in terms of the consideration and the determination of the permit.

Policy Framework

The adopted Local Plan has been under review. The Inspectors Report into the review was received on 21 February 2025, and the Council are moving towards the formal adoption of the (revised) Local Plan by the Council on 27 March 2025. Given the timing of the Local Plan adoption, this report refers to relevant policies from the existing adopted Local Plan, and also policies from the emerging new Local Plan during this period of transition. As Members consider the planning application at the Planning Committee meeting on 3rd April 2025, Members will be reminded that the new Local Plan will have been adopted formally and will be the 'Development Plan' in terms of decision making.

SUPPORTING CASE

This Statement supports Wayland Farms' application for the redevelopment of their pig farm on land at Feltwell Farm.

There are three main reasons driving Wayland Farms' decision to bring this project forward:

1. Better use of local land: The proposals are not for a new farm; the site is part of a wider group of three farms (Methwold, Feltwell and Airfield) which have been used for meat production since the 1960s and which currently have an Environmental Permit which would allow in excess of 29,000 pigs across the wider holding at any one time. The proposals seek to improve and renovate the site. Norfolk is already home to over 100 similar farms and these proposals will bring the old farm up to modern standards, and ensure the very latest methods of sustainable production and farming are in place.

2. Higher welfare for pigs: A major factor behind this application is the demand from consumers, campaigners, and our own customers to ensure higher welfare standards for British pigs. This proposal will enable us to guarantee that all pigs produced on site will be RSPCA assured.

3. British food security: The additional context for this proposal is the growing need to improve UK food security, following years of rising prices and challenges with the UK food supply chain. Currently only 50% of the pork we eat is produced in the UK, the rest is imported much of which is produced to far lower standards of animal welfare, and all of which creates far higher levels of carbon emissions. The past five years have demonstrated what a risk this is for the welfare and security of our nation, and modern farms such as the one we are proposing can help to reduce this risk and ensure a sustainable supply of affordable, quality, more environmentally friendly, food within the UK.

We recognise that strong views and concerns have been expressed by local people, but the vast majority of objections have come from outside the local area, and even from abroad. The 'megafarm' description which has been coined is a misnomer; this is a standard pig farm, the likes of which can be found across Norfolk and beyond. The sheds are no larger than the average modern pig shed. The combined proposals comprise two poultry units and a pig farm, to replace the three existing farms. The focus of all of Cranswick's farms is on feeding the UK consumer; we only export those parts of the pig which we do not eat in the UK, and this helps to keep prices lower for UK consumers.

The applicant has worked collaboratively with the LPA at all stages in the planning process. At the outset, pre-application advice was sought and it was only after receiving in-principle support from your Officers, that work progressed on a formal application. Before submitting the application, two formal Scoping Requests under the EIA Regulations were made to the Council, to confirm what Environmental Information the Council and its statutory consultees required to assess the proposals. The Environmental Statement submitted with the application was prepared in full accordance with the Scoping Opinions that the Council issued.

When it became apparent that there were concerns about some of the information provided, Wayland Farms' consultant team immediately sought to work with the LPA and other relevant statutory consultees to address these concerns. Wayland Farms were able to engage constructively with the EA, LLFA, NCC Highways and the Council's CSNN team, making amendments including re-routing the access road, and providing additional information to alleviate concerns, including further traffic counts and significant additional drainage information, which has ultimately led to 'no objection' responses from these consultees: a clear demonstration of the applicant's commitment to work constructively with stakeholders and overcome concerns raised. Unfortunately, however, not all stakeholders were willing to engage positively; despite multiple approaches, including via their paid advice service, Natural England maintained that they did not have capacity to engage in discussions on the project and consequently, it was not possible to discuss and agree an approach on what are complex issues and assessment methodologies.

At every step, Wayland Farms and its consultant team have worked alongside the Council's Planning Officers; indeed, further confirmation was sought on the scope of Environmental Information required to address outstanding matters in early 2024. Following extensive discussions, the Council issued a 'Regulation 25 Request' for further information in June 2024. This identified a number of matters which they considered required further information. Again, the applicant's consultant team worked hard to address these issues, further amending the proposals in October 2024.

It is therefore extremely disappointing to learn that the Planning Officer is recommending refusal of the application due to a lack of information being submitted in respect of ecology and climate change, when the applicant has not been given the opportunity to address these latest alleged deficiencies. The consultation responses relating to ecology were received very late in the process; the Ecology Officer's first

(and only) set of formal comments on the application was not made until the end of February 2025, and the Council's HRA was published on 1st March 2025. At no stage was any information in relation to Climate Change requested; indeed, it was explicitly 'scoped out' of the information requirements for the EIA, as varied by the Council's adopted EIA Scoping Opinions. This is an application with complex environmental considerations, and Wayland Farms have taken their duties and responsibilities extremely seriously, seeking the Council's advice on the scope and extent of Environmental Information required on multiple occasions and responding to their requests in good faith.

The applicant strongly disagrees with the Council Officer's conclusions in respect of ecology and climate change. The comments made by Natural England extend beyond their remit; a rebuttal to these comments has been provided by Freeths, together with a legal opinion which confirms that it would not be unlawful to grant planning permission for the proposals in their current format, without the submission of further information. Notwithstanding this position, if Members consider that there is insufficient information, the opportunity should be given to provide this information.

PLANNING HISTORY

22/00866/FM: Demolition of existing poultry sheds, construction of 20 new poultry sheds, 4 workers dwellings and associated infrastructure - Airfield / Methwold Farm

22/01524/CM: NO OBJECTION TO NCC APP: 03/10/22 - COUNTY MATTERS APPLICATION: Installation of 10m high lightning conductor mast - Warren Energy Ltd

19/00533/CM: NO OBJECTION TO NCC APP: 23/05/19 - COUNTY MATTERS APPLICATION: Retrospective application to retain soil landscaped bund/post and wire fence, use of existing concrete hardstanding/track as part of AD plant - Warren Energy Ltd

19/01559/CM: OBJECTION TO NCC APP: 17/10/19 - COUNTY MATTERS APPLICATION: Retrospective application to retain bund, post and wire fence, and use of existing hardstanding/track for use as access/egress to the hangar building of the permitted Anaerobic Digestion Plant (planning permission ref: C/2/2017/2003) - Warren Energy Ltd

18/02078/F: Application Permitted (Delegated decision): 17/01/19 - Agricultural Storage Building - Formerly RAF Methwold

19/01575/CM: OBJECTION TO NCC APP: 17/10/19 - County Matters Application: Retrospective application to vary Conditions 1 (approved plans), 2 (maximum tonnage of feedstock) and the variation or deletion of Condition 3 (feedstock source) of planning permission ref. C/2/2017/2003 to allow the offsite importation and onsite processing of 49,000 tonnes of diversified feedstock - Warren Energy Ltd

18/01202/F: Application Permitted (Delegated decision): 24/09/18 - Proposed Agricultural Dwelling to Supervise Poultry Unit. - Formerly RAF Methwold

19/01027/CU: Application Permitted (Delegated decision): 05/08/19 - Change of use of former aircraft hanger building to B8 storage and distribution (retrospective) - Methwold Beef Unit

17/00292/CM: NO OBJECTION TO NCC APP: 31/03/17 - County Matters Application: Retrospective application to amend/expand site area to accommodate revised site layout including 2 no. lagoons, weighbridge office, site office, 2 no. containers and substation. Variation of condition1 of planning permission C/2/2015/2032 to amend site layout and plant elevations - Warren Energy Ltd

16/01963/FM: Application Permitted (Committee decision May 2017): 09/05/17 - Proposed poultry unit - Methwold Airfield

15/01901/CM: OBJECTION TO NCC APP: 22/12/16 - COUNTY MATTERS APPLICATION: Retrospective application to amend site area to accommodate revised site layout of AD plant, 2 no.surface water lagoons and associated infrastructure - AD Plant Methwold Farm

14/00056/CM: NO OBJECTION TO NCC APP: 14/02/14 - COUNTY MATTERS APPLICATION: Installation of on-farm electricity generator with anaerobic digestion plant and concrete feedstock pad - Methwold Farm

15/00468/CM: NO OBJECTION TO NCC APP: 28/04/15 - County Matters Application for an underground gas pipeline and associated compound/structures (additional works in conjunction with approved anerobic digestion plant) - Methwold Farm

10/01789/CM: NO OBJECTION TO NCC APP: 12/11/10 - County Matters Application: installation of on-farm electricity generator with anaerobic digestion plant and concrete feedstock pad - Methwold Farm

2/00/1770/F: Application Permitted (Delegated decision): 23/01/01 - Construction of pig farrowing and nursery house - Methwold Farm

RESPONSE TO CONSULTATION

Methwold Parish Council: OBJECTION

Having listened to the views of those in attendance and the Council's own discussions, the application was rejected unanimously. Concerns are, traffic impact, pedestrian safety, odour and emissions, public health, ammonia, animal waste, and water.

Will be one of the largest intensive animal operations in Western Europe.

Traffic impact –

- PC queries existing traffic figures provided in this report, as PCs SMA2 sign (on the B1112 at the crossroads in Methwold) shows a considerably higher figure. The

Canham Consultation report states that 3750 vehicles represent 25% of the road's capacity. The actual figure of 11,870 vehicles represents 79.1%, meaning the road is already nearing full capacity. Peak figures over one hour 16:00 to 17:00 show 1,392 vehicles, not 350 as the report states.

Pedestrian Safety –

- Submitted information shows unsuitability of existing cycle lane, with a recommendation that a pedestrian crossing be installed on Stoke Road to provide a safe crossing point for those walking to and from school. Pupils also walk from Brookville and have issue crossing the road and requires a pedestrian crossing.
- Concern at width of shared cycle/pathway from the Methwold crossroads to Brookville (especially past the Iceni Academy) as at below required width. Dangerous given close passing vehicles at speed (SAM2 data has recorded top speeds of up to 95 mph, with 41% of all traffic travelling above the speed limit). Paths and road through Methwold and Brookville (B1112) should be improved, and speed limit lowered as well as the provision of safe pedestrian crossing facilities.
- Concern with accuracy of HGV numbers - predicted a significant underestimation. Also extra traffic to be generated by recently permitted development nearby.
- Poor condition of B1112 and the width does not easily support two-way HGV movements. How will this highway be maintained?
- Concerned as to impact of increased HGV movements on the three roads linking the B1112 to the A134. How will the vehicular routes proposed be controlled?

Odour and emissions –

- Need full analysis showing fallout of airborne pollutants in our parish and surrounding areas. Request "fallout area" mapped to understand the effect on air quality.
- Effect on air quality from the increased traffic numbers?

Public Health –

- Concerns regarding biosecurity, impact on other local livestock operations, the Quorn production plant, human health.
- DEFRA requires 3km biosecurity zone around intensive livestock units. The distance is substantially less at 200m.

Ammonia –

- Applicant's ammonia assessment concludes that there will be a reduction in emissions compared with current operation. This is disingenuous. Current ammonia and nitrogen levels in the SSSI area are already exceeded.
- Concerned about scale, in close proximity to protected sites.
- Concern at efficiency of proposed ammonia scrubbers, as they do need regular maintenance.

Animal Waste –

We would ask for clarification on the disposal of animal waste.

Water-

- If wastewater enters the groundwater, this will raise nitrate levels in locality.
- Concern re water extraction.

Feltwell Parish Council: OBJECTION

- Harmful impact on residents' health from high levels of chemicals such as ammonia being emitted through the air which will cause respiratory diseases.
- Concerns about diseases such as bird flu and causing devastation to other local farms as well as residents
- Adverse impact ammonia pollution will have on village life
- Increased traffic movements on roads unsuitable for the amount of traffic this will generate.
- Incorrect traffic figures sited.
- Concerns over water abstraction, there is no full management plan for the forecast 150 tonnes of water abstracted a day and the negative effect on residents.

Hockwold Parish Council: OBJECTION

- PC asks, if approved, a condition is added to ensure that no HGV, contractor and outside services use Hockwold cum Wilton
- Unclear as to the volume of trucks that are to bring in feed daily. This will have a negative impact on the local road surfaces and maintenance costs. Village roads are poorly maintained.
- Traffic will have a negative effect on residents - noise disturbance, air quality, odour (vehicle exhaust).
- Insufficient information provided on the amount of water used and how it would be disposed of.
- Odour
- Disposal of slurry
- Control of pests/ insects.
- This not a rural development, it is an industrial development.

Stoke Ferry Parish Council: OBJECTION

- Concerns at volume of traffic movement to be created.
- Accommodation element suggests it will not provide local employment.
- Within close proximity to protected sites.
- Concerns about traffic passing the Iceni School.
- Odour and noise disturbance.

Northwold Parish Council: OBJECTION

Development should be considered in conjunction with the application by Warren Energy C/2/2017/2003 (Digester.)

Highway issues –

- Traffic Generation. Increase in density, noise and emissions. (Carbon net zero etc.)
- Smells and fumes. (Particularly at Whittington Hill.)
- Pedestrian safety. (Particularly at Whittington.)
- Physical infrastructure impact. (Increase in road surface damage.)
- Environmental impact on air quality and groundwater.
- Impact on human health. (Whittington and the Sheridan school but also the wider community.)

Environmental issues –

- Will lead to production of ammonia. How will this be monitored? And impacts of mitigation measures monitored? How would this be enforced?
- Will groundwater measures be adequate in the future with climate change.
- Development incompatible with the drive to net zero.
- Increase in traffic will mean more carbon dioxide, increasing the emission of greenhouse gases.
- Reference made to ecological issues in Wye Valley as a result of run off through land fertilised with chicken manure.

Health –

- Transmission of bird flu, not a need to increase this risk. Where is disaster management or recovery plan?
- Public health concerns with transmission of diseases between livestock and humans.

BCKLWN –

- Contrary to Local Plan policy
- Expansion of enterprise is not needed. Discusses market for products, use of meat and waste of product.
- Impact on landscape and wildlife

Local Highway Authority (NCC): NO OBJECTION

For the avoidance of doubt, the following comments & observations are in relation to both applications (22/00860/FM & 22/00866/FM) and considering the scenario should both developments be operational.

Traffic Generation.

As you will be aware, the proposals have been the subject of significant scrutiny and the Applicant has submitted a number of different Transport Statements (TS). The latest TS again outlines that the developments include the demolition of a number of existing buildings on site and the erection of new, modern units and shows a change to the proposed likely traffic generation. The previous TS outlined that the likely traffic generation associated with the current activities, as well as the proposed pig and poultry units, would be in the region of 7,124 vehicle one way trips per annum (so 7,124 in & 7,124 out). Which on average would result in the region of 28 in / out movements per day, of which 13 in/out movements would be HGVs.

Given the cyclic nature of the proposals, a 'worst-case scenario' daily peak (should all peak activities occur simultaneously) of 71 one way movements (71 in / 71 out) would arise of which, in the region of, 50 would be HGVs (i.e. 50 In & 50 out).

The latest TS outlines a further revised position in relation to traffic generation. However, little explanation as to why this has changed appears to have been provided. It is now outlined that the likely traffic generation associated with the current activities, as well as the proposed pig and poultry units, would be in the region of 6,888 vehicle one way movements per annum (so 6,888 in & 6,888 out). Which on average would result in the region of 28 in / out movements per day, of which 12 in / out movements would be HGVs. It was outlined that a 'worst-case scenario' daily peak (should all peak activities occur simultaneously) of 60 one way movements (60 in / 60 out) of which in the region of 44 would be HGVs (i.e. 44 In & 44 out).

However, the latest figures have again been called into question within the Railton TCP report submitted by the Cranswick Objection Group. The report questions the accuracy of the figures, particularly given the previous variations and suggests that the submitted assessment is an underestimate of the likely traffic generation. Whilst the report does not suggest an alternative figure, it does suggest percentage increases for HGVs for both the poultry and pig applications. If the above referred uplifts are crudely applied to the Applicant's assessment it would suggest that there would be approximately 4,325 additional HGV trips generated per annum (which represents 17 movements per day on average). This would of course be higher on peak days.

Whilst it is accepted that the proposed change (within the new TS) is not significant, given the level of scrutiny associated with the proposals a detailed explanation and commentary from the Applicant would seem sensible to justify this change.

Traffic flows on the B1112

Local concern has been raised in relation to the existing traffic flows on the B1112. The Applicant has carried out Automated Traffic Counts both on the Brandon Road & Lodge Road to give an indication of existing traffic flows & speeds (over a seven-day period).

Two ATCs have been carried out on Brandon Road, one in 2021 and the other in 2023. The results show that a combined 24 traffic flow of 3,844 (1,974 northbound / 1870

southbound) vehicles was recorded in 2021 and 3,643 (1,887 northbound / 1756 southbound) were recorded in 2023.

Methwold Parish Council however have raised concerns in relation to the ATC data provided, as they suggest that these are considerably lower than their own data which was recorded through their SAM 2 signs located on the B1112. They suggest that the existing traffic levels on the B1112 are in fact up to twice that recorded on the ATCs.

Given that the counts are on different parts of the B1112 (with junctions on / off and places or origin / destination) and for different times, some variation would be expected. However, not to the level outlined by the parish council.

NCC do not hold any other historic traffic data on the B1112 Brandon Road to verify this. We have however, subsequently looked at historic counts on the B1112 Lodge Road (2008 & 2010) where a combined traffic flow of 2,702 (on average over a 24 hr period) and 2,382 (12 hr peak period) vehicles were recorded. In addition, we have records of a count on the C873 Lynn Road (north of Weeting) which links the B112 to Brandon from 2010 where 3,097 vehicles were recorded on average over a 24hr period. It is accepted that the counts are old however they do give an indication of historic traffic flows.

The discrepancy between the Applicant's ATC and the parish data was discussed at our development team meeting where it was noted that the use of an ATC was an industry standard method. Such would require the equipment to be calibrated and is considered to be a more accurate method of recording. Suggestions were made that the SAM sign results (which primarily records vehicle speeds) may not be accurate and can double count some vehicles.

Routing & Surrounding Highway Network

The interest in relation to both, the traffic generation figures and the existing traffic flows on the B1112 are primarily in relation to the suitability of the B1112 (particularly through the more built up sections of Methwold & Brookville) to cater for the development traffic.

Concern has been raised locally in relation to the suitability of the B1112 to cater for an increase in traffic, its current level of maintenance and the impact any increase would have in the built areas.

It should however be acknowledged that, in our view, as a development site, it benefits from direct access onto the 'B' class road network and is located in close proximity to the major road network with the A134 to the north.

At this point, the B1112 is designated Category 3A2 Main Distributor Route ('inter-primary link') within Norfolk County Council's adopted Route Hierarchy. These roads primarily cater for essential cross-county short to medium distance journeys linking strategic routes and urban centres with the strategic network.

The Applicant is proposing to control and monitor the routing of HGVs to / from the site via the B1112 and the A134, with traffic travelling from the site, east and north along the B1112 and joining the A134 at the B1112 Methwold Road / Bridge Road / A134 roundabout. The Highway Authority would seek to secure this monitoring arrangement by condition. However, this would of course rely upon the Applicant to manage and your Authority to enforce. It is noted that concern has been raised locally regarding the enforceability of this arrangement with existing HGV movements using the more direct unclassified routes between the B1112 and the A134.

It is noted that the Applicant has outlined that *'The routing of vehicles can be managed through tracking of vehicles and appropriate training and disciplinary measures to ensure compliance. Third party / contract vehicles will be made aware of the restricted route. If they don't adhere to the agreed route, they would risk losing their contract.'*

Whilst it is acknowledged that there are local concerns in relation to increased traffic on the B1112, in terms of design standards, it is found to accord with the national guidance and considered suitable therefore to cater for HGV movements (by virtue of its width and adjacent footways) including an increase. Furthermore, our Area Maintenance Engineers have confirmed that, whilst local concerns have been recognised, there are not considered to be current maintenance issues on the route.

It should be noted that whilst there is disagreement between the Applicant and the parish council in relation to the existing traffic flows on the B1112. If they were in fact higher, as the parish suggest, this would actually mean the overall percentage impact in traffic on the B1112 (as a result of these applications) would be less.

With regard to concerns in relation to existing HGV movements on the network; given the above routing agreement proposed, coupled with the likely volume of HGVs outlined, we do not consider it reasonable to recommend any further measures to control vehicle movements (i.e. a formal weight restrictions) directly off the back of these proposals.

Similarly, we note that concern have been raised with regard to existing issues with speeding traffic on the B1112 through Methwold & Brookville. However, given the likely overall increase in traffic on this route (in association with these proposals) we do not consider it reasonable to substantiate any such large scale mitigation as a result of this development.

On further reflection, we do however feel that the provision of a part time school 20 mph speed limit on the B1112 in Methwold to mitigate against the increase in HGV traffic should be provided. This has been raised directly with the Applicant's transport consultants

Site Access

The Applicant is proposing to serve the site via the B1112 Lodge Road to the south. It is proposed to operate a one way system for vehicles accessing the site, with vehicles entering the site leaving the B1112 at its junction with Warren Road, which is an

unclassified Road. A series of improvements are proposed to Warren Road to improve its width to allow it to cater for 2-way traffic should vehicles accessing the site meet.

Concern have been raised locally, in relation to the suitability of Warren Road to cater for the additional traffic, due to its width and the fact that it is used by vulnerable road users and the fact that it is proposed to be used by the nearby AD plant application as well.

The Applicant, along with the AD plant application (which has yet to be determined), are both proposing a series of passing place improvements on Warren Road. It is accepted that ordinarily, a stage 1 safety audit would be submitted as part of the planning process, and this has now been requested to the Applicant's transport consultant. However, we would highlight, that if approved, the off-site works will be delivered by a Section 278 Agreement and the precise delivery with the associated scheme subject to a stage 2 & 3 Safety Audit. The impact on both the ability to pass and vulnerable toad users would be considered. We are minded that, it is not uncommon on routes to HGV generators, where speeds are low and lightly trafficked, to share the road space with vulnerable road users.

In addition, it should be noted that if both applications and the AD plant proposals are approved, then each Applicant will be required to provide passing place improvements. The indicative scheme at present is considered suitable to mitigate the impacts of their own development. Clearly, if all applications were approved each Applicant would have a condition to discharge with the first likely to implement the proposed indicative scheme, and the second would further enhance this.

We are aware that concern has been raised in relation to turning into Warren Road from the B1112 should another HGV be leaving the site. It should be noted however that the application is required to widen the access from the B1112 to cater for 2 large vehicles. At this stage the drawings shown are indicative, with the improvements subject to a S278 vetting process (including a SA) should the application be improved. If that process concludes a greater radius is required or further widening this would be provided.

Vehicles leaving the site would use a series of private tracks / roads and re-enter the public highway at the B1112 Lodge Road to the east of the built up area of Feltwell. The Applicant is proposing to improve the existing access back onto the B1112 by widening the private road to a minimum of 6.5 metres (for the first 20 metres) to enable 2 vehicles to pass within the junction.

In addition, as outlined on drawing 216244-CCL-XX-00-DR-C-5300 P02 visibility splays are proposed in line with design standards.

Summary

In light of the above, we request that the Applicant submits further information to address the additional clarification points requested both by this authority (namely traffic generation, the need for a stage 1 SA and further mitigation on the B1112 (school time speed restriction)), the Railton TCP Ltd report and Methwold parish

council. This will ensure that the proposals, which are the subject of significant scrutiny are assessed as robustly as possible.

If however, this cannot be provided and your Authority is required to determine the application as submitted, I can confirm that my previous formal recommendation remains being: It is the view of the Highway Authority that we could not substantiate an objection to the proposals.

Whilst the developments will of course increase traffic (including HGVs) to / from the site, the likely increase in traffic engendered by the proposals is not considered to be material or leading to a significant increase in traffic or a severe highway concern.

Public Rights of Way (NCC): NO OBJECTION

We have no objection in principle to this application. We would however highlight that the Public Right of Way, known as Methwold Footpath 33 is in the vicinity. We welcome the change in the access route away from this Public Right of Way. The full legal extent of this footpath must remain open and accessible.

Active Travel: NO COMMENT

Norfolk Local Access Forum: OBJECTION

Concern for the considerable amount of HGV traffic, planned to run along part of Warren Road a County Council Maintained Unsurfaced Road, 21389/32 used by walkers and horse riders. Road width would mean that other users would be unable to pass HGVs safely.

Wholly inadequate and makes an unacceptable use of an unmetalled public right of way over a privately owned track to the detriment of public use.

High levels of traffic will displace users of this route and is only north-south route off the main highway network in the area. The result would be a much reduced level of active travel and leisure use.

Applicant should seek alternative route for their HGVs.

Minerals and Waste Authority (NCC): NO OBJECTION

While the site is partially within the consultation area of an existing Waste Management Facility, it is considered that as a result of the nature of the development it would not prejudice the continued waste management use and the consultation is in accordance with Policy CS16-safeguarding of the adopted Norfolk Minerals and Waste Core Strategy.

Historic Environment Service: NO OBJECTION subject to conditions

The proposed development site lies within the World War Two Methwold Airfield, indeed the 1946 aerial photograph suggests the presence of possibly bomb stores

within the development area. In addition, there is the site of a possible Bronze Age burial mound (now flattened) shown on historic mapping in the southern part of the development area. In addition, an area of late Neolithic or Early Bronze Age activity was excavated in 2006 a short distance to the southeast.

Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205.

Ministry of Defence: NO OBJECTION

I can confirm that, following review of the application documents, the proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed.

Lead Local Flood Authority (NCC): NO OBJECTION SUBJECT TO CONDITION
The County Council as the Lead Local Flood Authority and in its role as statutory consultee to the planning application process, have reviewed the application as submitted and have no objection subject to conditions being attached to any consent if the application was to be approved.

The conditions are to ensure the development is implemented in accordance with the Flood Risk Assessment and the Drainage Strategy.

Anglian Water: NO COMMENTS

We have no further comments to make for 22/00860/FM or 22/00866/FM.

We have reviewed the Flood Risk Assessment submitted with the application and we note that the Applicant is not proposing a drainage connection to Anglian Water network. Please note that Anglian Water has no public sewers within the immediate area of the proposed development site. We also note that the proposed development site is currently supplied by a licenced borehole and therefore a potable water supply connection will not be required from Anglian Water.

Therefore, the planning application is outside of our jurisdiction to comment, and we recommend that the Environment Agency is consulted and the Lead Local Flood Authority for the surface water management,

Internal Drainage Board: NO COMMENT

Environment Agency: NO OBJECTION subject to conditions

Groundwater and Contaminated Land
Site-Specific Information

The sites are underlain by Bedrock of Chalk – Holywell Nodular Chalk Formation and New Pit Chalk Formation (undifferentiated) with no superficial deposits. This is designed as a Principal aquifer. Several potentially contaminative former land uses have been identified.

We consider that planning permission could be granted to the proposed development as submitted if the recommended planning conditions are included. The planning conditions would secure a surface water disposal scheme, and that there shall be no piling or any other foundation designs and investigation boreholes using penetrative methods permitted other than with the express written consent of the Local Planning Authority.

Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application.

Groundwater and Contaminated Land Technical Comments

We are in agreement with the recommendations as set out in the Desk Study Report, in particular we support an intrusive investigation at the site in order to assess the extent of contamination and the potential risks to groundwater.

As the drainage strategy intends to utilize in infiltration drainage, it is recommended that sampling also be carried out in the intended infiltration locations.

It is understood from the Flood Risk Assessment that the surface water runoff from the roof area network will be discharged via deep infiltration. This is routinely acceptable, we would consider this to be acceptable in this case provided the Applicant can confirm that; none of the infiltration basins and soakaways will be installed in areas of contaminated ground, and that the downpipes and other infrastructure will be sealed to prevent contamination entering.

The runoff from the areas of hard-standing is understood to be potentially contaminated. and filter strips/drains have been included in the design in order to treat the runoff prior to being discharged to the infiltration basins. This is generally acceptable; however, we would note that appropriate consideration should be given to the potential for oil contamination (particularly from roads/yard areas) and perhaps the Applicant may consider including appropriated oil treatment measures.

Piling or other ground improvement methods could have an adverse impact on the groundwater quality within the aquifers beneath the site or provide preferential pathways for contaminant migration to the underlying groundwater during construction and after the completion of the development.

Guidance is detailed within this response with regard to the submission of information and required standards of assessment and operations for:

- Land Contamination Assessments
- Sustainable Drainage System (SUDs)
- Management of Waste during Development
- Pollution Prevention

We recommend that developers:

- Refer to our Groundwater Protection webpages, which include our Groundwater Protection Position Statements
- Refer to our Land Contamination Technical Guidance, including our Land contamination risk management (LCRM) guidance, when dealing with land affected by contamination and for the type of information required in order to assess the risks to controlled waters. The Local Authority can advise on management of risks to human health.
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.
- Refer to British Standards BS 5930 Code of practice for ground investigations and BS 10175 Investigation of potentially contaminated sites – code of practice
- Refer to our Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination National Groundwater & Contaminated Land Centre Project NC/99/73. The selected method, including environmental mitigation measures, should be presented in a Foundation Works Risk Assessment Report, guidance on the production of which can be found in Table 3 of Piling Into Contaminated Sites
- Refer to Position Statement on the Definition of Waste: Development Industry Code of Practice
- Refer to our Good Practice for Decommissioning Boreholes and Wells
- Refer to our Dewatering building sites and other excavations: environmental permits guidance when temporary dewatering is proposed.

Environmental Permit

Since we provided our previous comments on this planning application, the Applicant has submitted a variation application in relation to the environmental permit (XP3632QE) for the site. As part of our technical assessment of the permit application we will consider the general operational management of the proposed facility; control measures for odour, noise, pests; efficient use of raw materials, water and energy; potential impacts of emissions on designated conservation sites and human health; and the handling and storage of residual wastes from the process (e.g. wash-water, slurry, manure/litter).

We note that there are some differences in the information submitted under the revised Environmental Impact Assessment/Environmental Statement and what the Applicant submitted as part of their permit application e.g. number broiler chickens to be stocked

at Breckland/ Methwold Farm has been reduced to 714,000 from 870,000 and the number of chimney stacks on the poultry buildings has been increased from 16 to 19.

These changes have the potential to impact on the emissions from the site and will require revised air quality modelling to b submitted as part of the permit variation application to the Environment Agency (EA). Additionally, the Applicant has submitted a revised drainage strategy as part of their updated EIA. This document should also be submitted to the EA as part of the permit application. Please ensure that all revised information or data changes from your permit application are submitted to our National Permitting Services without delay for their regard as part of the permit determination.

The Comments on the Environmental Statement

Paragraph 4.59 - Disease – no details have been included contacting the Environment Agency on the disposal arrangements for contaminated water and infected litter storage & disposal. Advice and agreement of the Environment Agency should be sought.

Paragraph 8.58 - Our previous comment and condition on the condensate from the Heat Exchangers on the poultry site buildings remains valid as it has not been addressed in the updated ES. No information has been provided on how it will be stored and disposed of. We do not agree with the statement that there is no effluent from the heat exchangers.

2.50 - Environmental Permit and the Fallback Alternative - It is our opinion that many of the existing buildings and associated infrastructure on the Airfield and Feltwell farms would require more than general repairs to meet the standards of the current Best Available Techniques (BAT) conclusions (2017) for the intensive farming sector. The Applicant has acknowledged the limitations of the existing buildings in the document and pigs are currently only housed in some of the buildings. Photographs included in the ES show the poor condition of some of the buildings, with a lack of adequate insulation, waterproofing and structural integrity and as such they would require significant refurbishment to meet the energy efficiency standards of the Conclusions.

Natural England: FURTHER INFORMATION REQUIRED

As submitted, the application could have potential significant effects on: Breckland Special Protection Area (SPA), Breckland Special Area of Conservation (SAC), Norfolk Valley Fens (SAC), Breckland Forest Site of Special Scientific Interest (SSSI), Cranwich Camp SSSI, Foulden Common SSSI, Gooderstone Warren SSSI, Grime's Graves SSSI, RAF Lakenheath SSSI, Stanford Training Area SSSI, The Brinks, Northwold SSSI, Wangford Warren & Carr SSSI and Weeting Heath SSSI.

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation:

- Further detail regarding the ammonia assessment and the "fallback" position, including the existing Environment Agency permit for the sites, the actual (non-

theoretical) number of livestock kept at the two sites per year in recent years and the evidence to support this.

Without this information, Natural England may need to object to the proposal.

Natural England's further advice on designated sites and advice on other issues is as follows:

1) Advice under the Conservation of Habitats & Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended)

i) Air Quality

The "'Shadow' Habitats Regulations Assessment with Respect to Ammonia" (Ammonia SHRA) (Hopkins Ecology, dated October 2024) and "Ammonia Assessment" (Redmore Environmental, dated 23 October 2024) which informed this, have been assessed. The Ammonia SHRA has proceeded to the Appropriate Assessment stage. Natural England as a statutory consultee and a competent authority advises that the assessment does not currently provide enough information and/or certainty to justify the assessment conclusion. The authority should not grant planning permission at this stage.

"Fallback" Scenario

The Ammonia SHRA concludes (Section 10, page 46) that adverse effects to Breckland SPA, Breckland SAC and Norfolk Valley Fens SAC can be ruled out, on the basis of a reduction in the process contributions representing an improvement and betterment from the "Fallback" alternative. The "Fallback" alternative scenario (also described as "without development" in the Ammonia Assessment) is described (Ammonia SHRA, paragraph 2.4) as being "where the buildings and Site will be brought back into use and stocked to the level allowed under current permits and consents", i.e. stocked to the maximum number of livestock under the existing permits/consents.

The numbers of livestock under the "Fallback Scenario" is not explicitly stated either within the Ammonia SHRA, or the Ammonia Assessment. However, based on tables A2.1 – A2.4 of "Appendix 2 - Dispersion Model Input Data" of the Ammonia Assessment, the "Fallback" would include 29,358 pigs, as well as five slurry lagoons (Table A2.6), and a manure heap (Table A2.7). This "Fallback" would be a theoretical baseline based on the maximum number of livestock that could be housed under the existing permit.

It is Natural England's view that the environmental impacts of the proposal cannot be assessed against a theoretical baseline. A theoretical baseline would not take into account the current conditions under which the proposed development would be built, and that these conditions would subsequently change as a result of the proposed development. Therefore, a theoretical baseline would not provide sufficient information to assess whether there will be an adverse effect on the integrity of the sites in question.

Consequently, we advise the actual baseline should be used in the assessment, i.e. the number of livestock currently housed across the proposal locations. In the Ammonia Assessment (Paragraph 3.5.2) this is stated to be “3,000 pigs at Airfield Farm and 4,500 at Feltwell Farm”.

HRA guidance states that the unimplemented portions of permissions should be assessed in an in-combination assessment (however, it is up to your Authority to seek your own legal advice regarding this matter). On this basis, we advise that the unimplemented elements of the existing permit are included in the in-combination assessment. In this case, this would be for 21,858 Pigs (29,358 (stated permitted number of pigs but note our advice in the following paragraph) minus 7500 (actual number of pigs stated to currently be housed across both locations)).

There also appears to be a discrepancy between the Environmental Statement (ES) (Volume 1, Bidwells, dated October 2024) (paragraph 2.50) for the “Fallback” scenario compared to the Ammonia Assessment for the total number of livestock, as the individual values referenced in the ES totals 29,268 pigs, rather than 29,358. We therefore advise, either the Ammonia Assessment or the ES should be updated with the correct value.

In order to support the air quality modelling within the Ammonia Assessment and the “Fallback” scenario, we advise that the actual number of livestock (i.e. non-theoretical) that have been kept at both sites per year in recent years (a minimum of 5 years) should be explicitly stated in order to determine whether the existing livestock are contributing to the background emissions on the Air Pollution Information System (APIS). We advise that livestock numbers per year should be supported by sufficient evidence e.g. livestock records.

Additionally, the existing Environment Agency permit (and any other consents) forming the “Fallback” scenario should be provided as part of the planning application documents, as this does not currently appear to have been evidenced.

Environment Agency Permit Variation vs Ammonia Modelling for number of Broilers
We highlight that the Ammonia modelling, as referred to above, is based on emissions from 714,000 broilers, however, the Environment Agency permit variation appears to be based on 870,000 broilers.

ii) Other Impact Pathways

We note that a “‘Shadow’ Habitats Regulations Assessment for Pathways Other Than Ammonia” (Non-Ammonia SHRA) (Hopkins Ecology, dated October 2024) has also been produced by the Applicant for both the developments. For our advice on the impact pathways of dust and recreational disturbance we refer you to our previous response dated 31 March 2023). We have no additional comments to make in relation to the 2024 Non-Ammonia SHRA.

2) Climate Change Considerations

As the government's adviser on the natural environment, climate change is central to Natural England's work. Natural England advocate that decision-makers should ensure their decisions, are consistent with, and contribute to, achieving the UK's net zero target including the evaluation of climate change impacts on the natural environment of GHG producing developments and their activities, and the implications of failing to do so. This is in line with the aims of the UK government and the Climate Change Act 2008.

Natural England advises against continued development activities which may put additional pressures on our protected sites, as well as those that negatively impact areas outside of protected sites that support habitats known to be important for biodiversity and carbon storage and sequestration.

3) SSSIs

Please note that if your authority is minded to grant planning permission contrary to the advice given, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Extract of additional comments received from Natural England in response dated 23 March 2024:

Recreational Impact Avoidance and Mitigation Strategy (GIRAMS) - The appropriate assessment of the SHRA concludes that it is possible to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question as a result of increased recreational pressure. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advise that we concur with the assessment conclusions, providing that the appropriate sum of money (4 x £185.93 = £743.72) towards the Norfolk Green Infrastructure and Recreational Disturbance Avoidance and Mitigation Strategy (GIRAMS) is appropriately secured in any planning permission given.

Dust - The Applicant has concluded that impacts from dust during construction could have an adverse effect on site integrity for the Breckland SPA at Methwold Warren (Breckland Forest SSSI) (SHRA, Paragraph 6.2). It has been clarified that these impacts will be mitigated through implementing a dust management plan, and will follow the Institute of Air Quality Management's A Guide to the Assessment of Air Quality Impacts on Designated Nature Conservation Sites. Natural England advises an appropriate planning condition, or obligation is attached to any planning permission to secure these measures.

Breckland SPA-

Lighting - The Applicant has provided clarification that lighting will only be required for operations after dark and will be motion activated (SHRA, Paragraph 4.16). The periods of lighting will be largely outside of the relevant period when woodlark and nightjar are nesting. Distance and screening will largely provide masking of Breckland SPA from glare. Therefore, the Applicant has concluded that there will be no additional light spill into the SPA which could potentially impact Woodlark and Nightjar. Based on the information provided, Natural England agrees with this conclusion.

Predation - The Applicant has provided clarification that rodent control will form a part of the site operations, with a vermin control company visiting a minimum of eight time annually and being deployed to deal with any visible rodent activity in-between scheduled visits (SHRA, Paragraph 4.17). Natural England welcomes this clarification.

Norfolk Wildlife Trust: OBJECTION

Support recommendations made by Natural England.

Ecologist: OBJECTION

These comments are to cover both applications. Based on the information submitted, this is an objection on the grounds that the proposals are likely to have an adverse impact in the integrity of Norfolk Valley Fens Special Area of Conservation (SAC), Breckland SAC and Breckland SPA (Special Protection Area) which is in contravention of the Habitats Regulations..

Context

The conclusions of the non-ammonia shadow HRA (Non-ammonia sHRA) are generally acceptable though there are some areas of detail which require further clarity i.e. external lighting.

Disagree with the conclusion of the Ammonia shadow HRA (Ammonia sHRA) which concludes that there will be no adverse impact on the integrity of the Norfolk Valley Fens (SAC), Breckland SAC and Breckland (SPA). The evidence provided is insufficient and the impact of air quality not satisfactorily addressed by the mitigation proposed. The Councils own Habitats Regulation Assessment (HRA) details the full assessment of all impact pathways and receptors. These consultee comments focus primarily on the Ammonia sHRA where the main outstanding issues lie.

Comments on Ammonia sHRA Stage 1: Screening

Section 5 details the designated features of Norfolk Valley Fens SAC. Foulden Common Site of Special Scientific Interest (SSSI) is the only component SSSI of the Norfolk Valley Fens SAC which falls within 10km of the site boundary. The sHRA refers to two SAC features at Foulden Common, it is our view that there are an additional two features present These are features affected by air quality according

to the Norfolk Valley Fens SAC Site Improvement Plan (SIP) and do not appear to have been assessed as part of the sHRA.

The Ammonia Assessment shows that the process contributions of the proposed development will exceed 1% of critical loads at all receptors for annual nitrogen, ammonia and acid deposition. Section 6 subsequently concludes that a likely significant effect as a result of the development cannot be screened out for Breckland SAC, Breckland SPA or Norfolk Valley Fens SAC. These sites are therefore taken to Appropriate Assessment (Stage 2) for further analysis.

Stage 2: Appropriate Assessment

The Appropriate Assessment concludes that there will be no adverse effect on the integrity of Breckland SAC, Breckland SPA or Norfolk Valley Fens SAC. This conclusion heavily relies on the proposed application being a betterment on the fallback position as well as the use of ammonia scrubbers for mitigation. The sHRA also makes the argument that ammonia is not a significant driver of the poor condition of SSSI Units of component sites.

The Ammonia sHRA states that the current ammonia baseline is (interpreted as) not affecting the integrity of sites under suitable management regimes. In the absence of management, process contributions may contribute to a decline in condition, but a decline would be evident irrespective of process contribution levels.

It is worth noting that air quality does not always form part of the Condition Assessment of SSSI Units. It is therefore not possible to scope out air pollution as a contributing/driving factor to SSSI Unit condition based on its absence from the assessment of the Unit. It should also be noted that the age of Condition Assessments range from 2009 (Standford Training Area SSSI) – 2021 (Gooderstone Warren SSSI) which suggests the assessments are not necessarily reflective of the current condition of the SSSI Units being assessed. This argument therefore does not hold much weight as it is not strongly evidenced.

The fallback scenario

The Ammonia sHRA has included data from the `Fallback` scenario, though exactly what this comprises is not explicitly stated in the report. The `Fallback` would be a theoretical baseline based on the maximum number of livestock that could be housed under the existing permit. The Ammonia sHRA concludes that the proposals will not have an adverse effect on the integrity of Breckland SPA/SAC and Norfolk Valley Fens SAC. This conclusion is heavily reliant on the proposed development representing a betterment on this fallback scenario.

There are several issues with the information provided to support the fallback position which are discussed below.

The use of the fallback position as the baseline

The proposed development must be assessed against the current baseline i.e. existing installations/operation. The fallback position represents the full implementation of the currently unimplemented parts of the Environmental Agency (EA) permit i.e. maximum stocking capacity. Guidance on assessing a project baseline does not align with the approach taken by the Applicant in this instance. Natural England identify this as an issue.

The fallback position also relies on the assumption that the full extent of the existing operation could be implemented without any additional planning consents, permits or major renovations to bring buildings into regulatory compliance. The current EA consultee comments (January 2025) suggest that this is not the case. It is therefore not clear if the fallback position is practically viable or legal permitted.

In the event the fallback position of 29,358 pigs was demonstrated to be possible and implemented at the site, this would likely be considered a 'project' in itself in respect to the Habitats Regulations and would need to demonstrate that there is no likely adverse impact on Habitats Sites. Section C.3.3 of the DTA Handbook notes a 'project' includes "e. anything that would result in new or different emissions or discharges to the air, water or soil including, for example, agricultural activities such as grazing or the application of fertiliser". Additionally, the DTA Handbook refers to a ruling by the Court of Justice of the European Union on joined Cases C 293/17 and C 294/17 which has some relevance to this application in that it was determined "whilst the application across the farm overall may be unchanged, the location and rate of application across individual fields might be varied, so that a significant increase in a field, which is adjacent to a sensitive SAC habitat could, nevertheless, occur.". Further, that "The Court also pointed out that, even if an ongoing / recurring activity escapes assessment under Article 6(3), its ongoing implementation may still fall to be addressed under the scope of Article 6(2) meaning that it may still require some form of assessment as to its potential effects upon a protected site (paragraph 85) with a view to introducing preventive measures.". Therefore, movement of pigs into the proposed development site from another location would still be captured by the requirements of the Habitats Regulations and the potential for significant adverse impacts upon the integrity of Habitats Sites must undergo assessment.

Inconsistent reporting of the fallback position

The fallback position is based on a theoretical situation in which the Applicant operates the full extent of their EA Permit. The numbers allowed within this permit are unreliably reported across the project documents. The documents should align to provide an accurate representation of the proposals.

Consultee comments from Natural England (22 January 2025) and the EA (22 January 2025) also highlight that the reduction in broilers from 870,000 to 714,000 (and increase in the number of chimney stacks from 16 to 19) has not been updated within the EA permit variation application which presents further inconsistency across documents associated with the application.

Resulting figures likely in excess of 1% threshold

The Process Contribution (PC) as proportion of Critical Load (CL) (%) of the fallback position is not given within the sHRA or the Ammonia Assessment reports. Instead, the data is presented as the `Predicted percentage change in annual mean loads` only. The data presented as PC as Prop. of CL (%) for ammonia (as an example) is likely to show that the majority of the relevant receptors are still above the 1% threshold. While it is recognised that the 1% value represents a screening level and is not necessarily indicative of an impact or significant effect in itself, the sHRA has not dealt with the data any further or provided the necessary further assessment to discount an impact/significant effect. Where a proposal will add to the background levels of pollutants at a Habitat Site rather than detract, this would not align with the restoration Conservation Objectives for Habitats Sites, and further assessment is necessary to conclude otherwise.

Lack of evidence around current usage

The Applicant claims that the current usage is 7,500 pigs and relies on this figure to Inform the fallback position. However, there is no evidence within the current submission that confirms this number. The EA permit requires the operator to maintain and implement a system to record the number of animal places and animal movements. All records should be retained for 6 years and must be held on the site or at another location agreed by the Agency. The livestock record would be required to confirm the validity of figures relied upon in the Applicants Ammonia Assessment.

A full review of the Applicants sHRA has also been undertaken and the proposals are being assessed by the Council under a HRA as the competent authority. These comments are therefore not a definitive list of issues to be addressed but provide context for my objection.

Arboricultural Officer: NO OBJECTION subject to conditions

Conditions are necessary to secure tree protection, and to secure hard and soft landscaping arrangements.

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions

For the purposes of the Environmental Impact Assessment, both planning applications were assessed as one project. Therefore, our comments are relevant to both planning applications.

Environmental Permit –

The proposed activities for this planning application will also require an Environmental Permit which would be issued by the Environment Agency. An application for the permit has been submitted and is currently being considered.

Air Quality –

We have reviewed the impact of air quality emissions such as Nitrogen Dioxide and Particulates (PM10 & PM2.5) from the poultry and pig units as part of the Environmental Permit application.

The main air quality emissions that are not directly associated with the prescribed activity covered by the Environmental Permit would be emissions from transport associated with the new development. We have reviewed the transport emissions as part of the planning application and would make the following comments;

In terms of the impact, these levels are substantially less than the IAQM Planning for Air Quality thresholds i.e. 100 HDV and 500 LDV per day, this would not require an air quality assessment. The predicted change in air quality, especially when based on good existing background (PM10 12.5µg/m3, NO2 6.7µg/m3) would be significantly less than the air quality objectives.

The actual HGV haul route for transporting livestock is set out in Appendix 12.2 of the ES. As this route forms the basis of the air quality assessment we would recommend that this route is conditioned to minimise pollution impacts elsewhere.
The air quality assessment conducted by Redmore Environmental under chapter 6 of the ES assessed risk of construction/demolition dusts. Mitigation measures were presented in Table 6.57 of Chapter 6.

We have considered these additional impacts; dusts from the demolition works were assessed as potentially greatest, equivalent to an IAQM medium human health risk rating as opposed to minor being reported. For medium risk activities the IAQM guidance recommends air quality monitoring to help prevent unacceptable impacts, and therefore we must request a condition is attached. The dust nuisance aspect of this CEMP would be covered by colleagues in CSNN.

We would therefore have no objection regarding air quality, subject to the above conditions.

Contaminated Land –

The ES reports that solid geology in the area is Holywell Nodular Chalk, a principal aquifer. The site is not in a source protection zone for drinking water. Anti-Waste's Feltwell Landfill is directly to east of the site. The majority of buildings on site are reported as being unused and in a state of disrepair. Historically the land use is reported to be arable, a former airfield including hardstanding which became used for pig and poultry sheds. The adjacent Feltwell Landfill is operated under an environmental permit and is not considered to be contaminated land.

The report identifies potential receptors as groundwater, farm workers, construction workers, off-site residential and the SSSI/SPA (50m to the east). Groundwater is reported to be the principal receptor when considering ground contamination, human health and surface water (ditches/drains) are identified as medium sensitivity and all other receptors are reported as low sensitivity. On-site or adjacent off-site potential

sources of contamination are reported to be: former feed liquid and solid feed storage tanks; muck pads; historical airfield operations; Leaks of fuels, fertilisers, pesticides and waste products from poor condition storage and pipes; 'dirty water' lagoons from the previous/existing farming operations; and Feltwell landfill.

The report includes a conceptual site model and recommendations for 'Embedded' Mitigation through design and management to reduce risk to an acceptable level. The report recommends:

- Asbestos survey and removal (Control of Asbestos Regulations)
- Pre-demolition hazardous materials survey
- Muck pad cleaning & decommissioning.
- Construction Environmental Management Plan
- Further site investigation of ground and water
- Remediation Strategy if required.

From the information provided it appears the site can be made suitable for the proposed use if the mitigation proposals are implemented. In order to secure this safeguard we recommend conditions and an informative are attached.

Community Safety and Neighbour Nuisance: NO OBJECTION subject to conditions.

The two separate applications have been assessed together for the purpose of the CSNN consultation comments and specific reference to each application has been made where relevant.

The CSNN Team appointed a consultant to review the noise and vibration documents submitted in October 2024. A copy of the review has been submitted.

The CSNN and the EQ (Environmental Quality) Teams were consulted by the Environment Agency in relation to the Environmental Permit application. The Environmental Permit consultation response was made with reference to documents submitted to the Environment Agency in support of that application (which are not the same as the documents relating to the planning applications).

The CSNN comments make recommendations for conditions and controls to minimise the potential impacts on local residents in relation to environmental nuisance and amenity issues (if the planning applications are approved).

- **Delineation of site boundaries -** To ensure relevant planning conditions are applied to the site where the Permitting regime does not apply, a definitive location plan with site and Permit boundaries is required.
- **Pig and poultry numbers conditions for both applications** - Should be limited to those detailed in the planning applications i.e. up to 14,000 pigs and up to 714,000 chickens. Also should restrict numbers of animals per building.
- **Site layout and construction of buildings** - To be limited to those specified in the planning applications.

- **Proposed managers' dwellings at the poultry unit** - Dwellings to remain in association with the business.
- **Noise and vibration** - The CSNN team appointed a noise consultant to review the updated noise and vibration information. This review provided sufficient uncertainty to anticipate that the effects of noise at (Measuring Location 2) Clopton Cottages may be more significant than predicted. Conditions would be required to protect the residents of these properties from an adverse impact from noise.
- **Commissioning measurements for fans** - Upon commissioning of the ventilation fans, measurements should be submitted to the Local Planning Authority to confirm that the fans do not feature tonal characteristics.
- **Noise protection for farm managers dwellings –** Condition would be needed for a noise insulation scheme to protect the internal and external amenity areas of these dwellings from environmental noise.
- **Noise protection conditions are required for-**
  - Construction phase (with particular regard to noise, vibration and dust)
  - Construction noise and vibration assessment
  - Site hours
  - Construction environmental management scheme
- **Traffic management** - Conditions are required to ensure that the vehicle routing plan is adhered to.
- **Traffic management plan** - Traffic Management Plans (for operational and construction traffic) are necessary to cover a range of issues such as timings of deliveries, vehicle numbers and types, requirements for certain types of loads to be covered, instructions provided to the operator's own drivers and contractors etc.
- **Manure/slurry/used chicken litter** - In the Environmental Statement the pig manure and slurry has not been classed as waste due to its nutrient content and potential use as a fertiliser. As a result, very little information has been provided about manure and slurry. Used chicken litter has been classed as waste. The Applicant states the used chicken litter will be transferred to Thetford Power Station but the destination of the manure and slurry is not known. Therefore, it is not possible to predict whether there will be an adverse impact on local residents from manure or slurry once it has left the site. There is also no information about contingency measures relating to what would happen if the pig manure, slurry, or used chicken litter is unable to leave the sites due to issues such as vehicle or machinery breakdown or the destination sites being at capacity. Manure and slurry management plans are required for both sites.
- **Operational site hours** – It would not be practical or reasonable to impose a condition for overall operational site hours.
- **Operational management plans** - Conditions are required due to uncertainty over the exact site boundaries of the environmental permit (which is yet to be approved) and the need to ensure that all areas and all activities on site are controlled.
- **Foul drainage** - Finalised details of foul water drainage provision is required for the new managers' dwellings and the office/welfare/washroom facilities.
- **External lighting** – Conditions for a detailed external lighting scheme are required given the isolated rural nature of the site and the 24/7 operations.

NEIGHBOURING AUTHORITIES

Brandon Town Council: OBJECTION

- Concerns over contamination and pollution,
- Concerns over increase in HGV traffic.

REPRESENTATIONS

Approximately 12,604 OBJECTIONS were received to the application and a petition of 42,133 names. 3 neutral and 7 SUPPORT representations.

The **OBJECTIONS** have been summarised below by theme. For organisations/ charities/ campaign groups these have been identified individually.

Animal Welfare

- Concerns over level of employee training
- Site operations proposed
- Question the skill of workers to slaughter the animals humanely, and if animal welfare will be monitored (e.g., CCTV) and acted upon where necessary (Livestock vet call outs)
- Concerns over inadequate conditions: lack of natural light in animal containers.
- Anything to abolish speciesism
- Increase in airborne diseases, viruses and bacteria; especially H5N1 Avian Flu.
- Recent Avian Influenza suggests this size of operation is unwise

Ecology and Environment

Protected Habitats

- Impact on Protected Habitats (Breckland Special Protection Areas)
- Impact on habitats in the onsite shed.
- Loss of biodiversity, especially in waterways (phosphorus and nitrogen)
- DEFRA Guidance states distances between intensive farming units and areas where wild birds congregate should be 3km.
- Impact on climate change

Pollution

- Noise pollution
- Light pollution
- Air pollution (from greenhouse gases, Bio-aerosols)
- Dust pollution
- Odour pollution
- Damage to the Wye resulting from intensive farming
- Concern over degradation and acidification of the land

- State UN analysis has shown livestock accounts for 9% of CO2 from human activities, 65% Nitrous Oxide, 64% ammonia and 37% of methane
- Would be impossible for operator to stick to controls given scale of site, particularly given livestock farms nearby (eg JW Spencer Farm). Have assessments been in-combination with other farms?

Broader Environmental Implications

- Feed for animals linked to deforestation.
- Increased energy consumption resulting from general running, ventilation and lighting.
- Biosecurity Issues and impact on local livestock
- Note inconsistency between the revised stock density and the Environment Agency permit.
- Contrary to carbon neutral targets & Paris Agreement Net Zero
- UK Climate Change Committee has recommended a reduction in meat consumption and increase in regenerative farming styles.
- Inconsistencies in the Non-Technical Summary Environmental Statement (e.g., Wayland farms received accolades for outdoor producer of the year, but this is misleading as this facility is not outdoors)
- No permeant customers established for buying the waste

Flood Risk and Drainage

- Lack of infrastructure for groundwater drainage.
- Site should be located in areas of lower flood risk.
- There has been no application or agreement to the usage of mains water for this development.
- Water abstraction / availability

Health

- Nature of operations could adversely impact the mental health of workers and local residents.
- Development would violate human rights with regards to living standards and leisure.
- Nature of operations could adversely impact the physical health of workers and local residents.
- Risk of workers contracting respiratory issues from dust.
- Overuse of anti-biotics in intensive farming leading to antibiotic resistance.
- Noise of traffic and operations could disrupt sleep of residents.
- Concern over the removal of asbestos.

Consumption of processed meat is bad for health.

- This contradicts recommendations by BCKLWN to eat less meat.
- Unnecessary as demand for meat products is declining.

Historic Environment

Harm to designated heritage assets (Methwold Conservation Area)
Harm to intangible heritage assets (prominent agricultural/farming history)

Highways / Traffic

Present traffic survey is incorrect/outdated

- Conducted during the COVID-19 Pandemic and is therefore not a true representation of traffic levels.
- Does not account for waste management traffic

Exacerbate traffic on the A134

- Exacerbate existing issues highlighted by *Traffic Survey SAM2* (traffic calming measures already required at Northwold and Whittington Hill)

HGV traffic could worsen road conditions

- Cost of resurfacing
- Planning permission for proposed road upgrades (under Warren Energy) has not been granted. Alternatives would require permission from Norfolk County Council.
- HGV's would not stick to the route stated
- Suggests lower road speeds

Safety issues arising from increase in HGV traffic

- Threat to highway safety in local villages
- Safety threat to school children of Iceni Academy and Mundford Primary
- Poor visibility at junction on the B1112, turning right onto Lodge Road
- Adverse impact on PROW Methwold 33 footpath
- Impact on Warren Road Users

Applicant does not control northern access track (and adjoining land)

Query deliverability of southern access route.

National and Local Economy

- Possible decline in property prices and difficulty selling homes.
- Adverse impact on level of tourism.
- Impact on local businesses – especially small-scale farmers.
- Smaller businesses will be unable to compete.
- Quorn factory may pull out of the area if the application is approved.
- Subsequent job losses.
- Negligible impact on improving local unemployment rates
- Small-scale farming provides more employment opportunities than large-scale operations, such as the proposal.

- Staff would be outsourced (based upon need for worker accommodation), rather than employing local people.
- Cost of production
- Subsidies for such farms are a hidden cost to the taxpayer (highlighted by Conservative Animal Welfare Foundation Report)
- National Economy
- Food may be exported rather than contribute to food security.
- There is already a high-density of pig and poultry farms in Norfolk.
- Need for support for bioenergy sites and policy environment that recognises value and potential for power. Likely changes to electricity market in 2027 would impact on biomass operators. The supply of sovereign low carbon electricity would be reduced ad feedstock would be diverted elsewhere, lost or reduced. This could result in the loss of smaller decentralised plants.

MP and Member representations -

Cllr Alun (Tom) Ryves

- Development is served by poor quality roads and states it is likely transport plan will not be adhered to
- Highlights findings of Michael Bull Report
- Concerns over road quality/capacity and discrepancies in documents. Also questions this in relation to Warren Energy site and Wellington Lodge
- HGV movements are incorrect, and no safety audit carried out at Warren Road.
- Disputes the claim that people need cheap food, and states they instead need healthy food;
- Would prefer a smaller operation producing high quality food
- States the development will provide Europe, not just the UK
- Draw attention to Cranswick's breaches at Stow Bedon
- Calls attention to a decision in Breckland where Planning Committee refused a 345,000 capacity chicken farm near Attleborough. Notes the objections to that were supported by George Freeman, M.P. Reasons for refusal included concerns over drainage, highway impacts, insufficient ecological information and impacts upon Article 2(3) land)
- Ammonia study area should be extended to 10km and the baseline is incorrect.
- Lack of manure management plan
- Dispersal of slurry not properly evidenced
- Questions if Thetford Power Station is to be decommissioned, the capacity of the plant and if any discussion has been had around this waste supply.
- Supporting evidence does not account for the difference between groundwater and surface water and how this will impact drinking water
- Water consumption
- Farming Rules for Water compliance not evidenced
- Questions if application complies with Code of Practice for the Welfare of Meat Chickens and Meat Breeding Chickens
- No sequential test
- Lack of sustainability statement
- Refers to Guardian article around EA and noxious emission controls

- Request exact numbers of livestock in recent years be stated to assess air quality
- Development is contrary to Policy CS12 of the Core Strategy (2011) – restricted development within 1.km of the Breckland SPA
- Threat to chalk stream
- Concern over Quorn withdrawing from the area
- Proximity to care home/nursing home
- Applicant continually fails to submit requested data
- Requests handling of application be peer reviewed
- Importance of emerging local plan
- All Parish and Town Councils in the area and Breckland District Council should be consultees.
- Concerns at ability of EA to control and monitor air quality issues on the site

Terry Jermy MP

Development is contrary to:

- Wildlife and Countryside Act 1981;
- Natural Environment and Rural Communities Act 2006 (s.40);
- Conservation of Habitats and Species Regulations 2017;
- Environmental Improvement Plan and Environment Act 2021;
- Local Development Plan (Policies CS06 and CS12 of the Core Strategy, 2011);
- NPPF (2024), paragraphs 187 (Natural Environment) and 193 (Harm to Biodiversity)

Impacts upon the natural environment and health:

- Nature recovery should be a priority - intensive units will endanger habitats and SSSIs (as highlighted by the WWF);
- The developer should seek to externalise risks associated with spreading of manure in Nitrate Vulnerable Zone (ref Codes of Good Agricultural Practice). Contests the Applicant's position that c.13,000 tonnes of slurry per year are not waste and should not be considered in the Environmental Assessment;
- Pollutants (especially Nitrogen and Phosphates) should be minimised as this exacerbates existing drainage issues and air/water health. Appropriate risk assessments should follow;
- Cranswick have previously breached animal welfare, environmental and human health standards/permits;
- Exacerbate risk of Avian Flu in Norfolk;
- Cause/exacerbate mental and physical health issues of local residents.

Impacts upon national and local economy:

- Food security not improved as relies on imported feeds and fuels, whilst meat often exported;
- Development undermines sustainable farming operations;
- Risk to employment provided by nearby Quorn plant.

Liz Truss (former MP)

- Concerns with HGV Traffic- road safety, movement of large vehicles on small rural roads.
- Impact on local communities- health implications from operations, HGV traffic, waste and slurry.
- Risk of pests and vermin
- Lack of infrastructure
- Pollution from HGV traffic and the farm itself.
- Poor air quality and strong odours

Third Party Organisations -

The Animal Advocacy Project

- Similar objections to the Cherry Tree Farm application in Breckland.
- High court ruling against a decision to allow dairy farming within the impact zone of two SSSIs, which was contrary to advice by Natural England.
- The Environmental Impact Assessment does not adequately address the following points:
  - The site is within 1.5km of the Breckland Farmland SSSI and Stone Curlew site and is within 2.8km of the Brinks Northwold SSSI. General concerns over impact on Article 2(3) land;
  - Habitats Regulations Assessment should take into account the potential effects of the development in combination with other plans or projects;
  - The proposed workers dwellings constitute residential development, and therefore require a Habitats Regulations Assessment;
  - Adverse impacts upon human health (pollution of drinking water and antibiotic resistance) and biodiversity caused by ammonia and nitrogen pollution and anaerobic digestate;
  - Adverse impact upon surface water flooding;
  - Adverse impacts upon waterbodies and aquatic life as a result of pollutants;
  - The site is within a Source Protection Zone;
  - Questions if Water Abstraction License should be renewed in 2027 due to the lack of water shown in Abstraction Licensing Strategy;
  - Lack of information on the disposal of animal carcasses;
- Insufficient management plan over the dispersal of manure.
- Impact on Highways. Concerns over increase in traffic movements (in relation to safety and pollution)
- Impacts upon national and local economy. Concerns over loss of economic viability for surrounding area resulting from lack of water, pollution and loss of tourism.

Animal Defenders International

There are multiple negative impacts, which will be life-changing for the residents:

Public Health - Studies identified people residing near pig factory farms have increased risk of airway obstruction, asthma and pneumonia; MRSA from overuse of

antibiotics in farmed animals ; potential increase of cancer ; increased risk of sepsis ; and higher infant mortality rate. Proposal will increase the risk of zoonotic diseases in the area, especially H1N1 (swine flu). Intensive pig farms considered to be a potential hotspot for the distribution of antibiotic-resistant genes in the environment.

Climate Impacts - Increased use of HGVs and emissions released from construction does not align with the UK's climate goals of a 68% reduction in emissions by 2030 and net-zero by 2050. Annual transportation of 48,000 pigs to and from the facility via HGVs will contribute to a deterioration of air quality. Levels of CO2 and particulate matter will increase.

Environmental Impacts - Facility will use fresh water. The site is in close proximity to a chalk river stream. Waste run-off has a high likelihood of contaminating the nearby river. Query disposal and storage of slurry, and potential of contamination from waste.

Social Impacts - Quality of life for residents will diminish. Constant noise from HGVs, and roads not fit for additional traffic. Putrid smell from the facility.

Animal Welfare - Reports from other Cranswick facilities, where workers mistreat/ harm animals. High risk of repeat staff and management practices. Pigs kept in cramped, confined spaces.
UK local authorities to take a broader view and take into consideration the local environment and government guidance on welfare of animals in weighing up such decisions.

Animal Interfaith Alliance

- Increased HGV traffic and associated noise
- Air pollution from pig waste and vehicles
- Slurry disposal wider environmental implications
- Impact on chalk stream from waste runoff
- Damage to SSSI
- Impact on human health
- Company’s poor historical track record of environmental and operational practices
- Animal welfare concerns.

Animal Justice Project

- Increased HGV traffic and associated noise and environmental pollutions
- Air pollution through pigs waste and Vehicles
- Damage to local SSSI sites
- Concerns with disposal of slurry and environmental implications
- Concerns with implication on chalk stream rive through waste runoff
- Increased water abstraction
- Lack of robust mitigation
- Increased human health issues from pollution and risk of Zoonoses
- Historical track record of company of poor environmental and operational practices at other sites

- Animal welfare at the vast scale of pigs kept in a small space.

Animal Law Foundation

Concerns over animal welfare (highlight the following appeals where animal welfare concerns have been a material planning consideration: APP/M0933/W/22/3299401; APP/J3720/A/07/2055027), especially as there is a strong disconnect between welfare laws and enforcement in the UK.

- Concerns with the close proximity and impact of the proposed development to an SPA and other SSSIs
- Raised concern unable to find planning permission for current pig operation on site
- Concerns with the scope of the Environmental Statement
- The disposal of manure poses a pollution risk to air, soil, and water and is likely to generate odour and bio-aerosols affecting local amenities
- Emissions from fans on broiler units
- Difficult to compare current and proposed emission rates
- Bio-security risk
- High water consumption from development could adversely affect local supplies.
- The development will use a large amount of energy for heating and lighting.
- Intensive farming significantly reduces greenhouse gas emissions
- Increased traffic movement causing sleep disturbances from traffic at night, damage to roads, road safety impact from larger vehicles
- Increased risk of spread of diseases
- High carbon footprint of buildings constructed of non-renewable materials
- Highlights many animal welfare issues associated with intensive pig farming
- Concerns with the Enforcement problem of animal welfare
- Animal welfare law does not guarantee that standards will be applied in practice.

Conservative Animal Welfare Foundation

- Environmental impact of local water sources
- Threat to local protected wildlife
- Noise pollution
- Environmental pollution and Odour
- Climate Change Considerations
- Impact on Natural Beauty and Heritage
- Archaeological and historical significance
- Traffic and pollution
- Disease risk.

Four Paws UK

- Development is contrary to Climate Emergency, Low Carbon targets and Net Zero targets. Committee on Climate Change (UK) recommend a 20-50% reduction in meat consumption;
- Adverse impact on animal welfare, high standard of animal welfare impossible at this scale.

- Adverse impact on human health (in regard to water and air pollution as a result of the development);
- Local farmers and other businesses suffer negative economic consequences as a result of large farming businesses.

Green Britain Foundation

- Step back tackling the Climate crisis
- The proposed farm would contribute significantly to greenhouse gas emissions and undermine West Norfolk's climate commitments. The Supreme Court's ***Finch*** ruling makes it clear councils must consider direct and indirect climate impacts when making decisions like this.
- Damage to air and water quality
- Destroy green space
- Increase traffic and pollution
- Harm to public health.

PETA

- Concerns over impact to the Non-Designated Heritage Asset, Methwold Airfield.
- Impacts on Natural Environment and Health:
  - Threat to Article 2(3) land;
  - Concerns over diseases impacting health of animals and humans;
  - Infrastructure would threaten landscape character;
  - Concerns over pollutants – especially run-off into waterbodies (high risk of this due to high flood risk).
- Impact on Highways - Adverse impact on highway safety from increased HGV traffic.
- Applicants history re fines / breach of controls
- Impact on residential amenity, quality of life
- Fall in demand for meat
- Animal welfare concerns

World Animal Protection

- Development is contrary to the Council's commitment to tackling climate change.
- Adverse impact on local utilities, such as electrical supply.
- Impacts on Natural Environment and Health:
  - Concern over chemicals in the waterways;
  - Concern over impact on human health;
  - Concern over use of antibiotics and creation of resistant strains;
  - Concern over animal welfare.

Quorn Foods

- Concerns over impacts on their staff, particularly respiratory diseases and mood disorders as a result of odours;

- Draw attention to complaints of residents near other farms pertaining to bad smells and pests;
- Concerns over effects on their business.

Sustain

1. The Council's decision to scope out from the EIA the effects of the projects on the climate is unlawful and contrary to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("EIA Regulations"), as per R (***Finch***) v Surrey County Council [2024] UKSC 30.

2. The projects will give rise to both direct and indirect likely significant effects on the climate – and these effects must be assessed to ensure a legally compliant EIA process. Following ***Finch***, the indirect effects include both upstream and downstream scope 3 greenhouse gas ("GHG") emissions.

3. As regards upstream emissions, the Applicants accept that ***Finch*** applies to upstream GHG emissions. It appears to be common ground that: (i) there is factual and legal causation between the proposals and the GHG emissions; and (ii) there is available methodology to estimate these emissions. The GHG emissions are accordingly indirect effects of the projects and must be assessed because the effects are: (i) highly likely (if not inevitable); and (ii) significant, based on the estimates that have been produced by third parties to date.

4. The only reason given for excluding these effects is that Cranswick's "business-wide assessments show that the effects … are not likely to be significant". This is an unlawful approach. The business case wrongly prays in aid of the Applicants' allegedly lower emissions compared to an industry average. For the purposes of the EIA Regulations, the threshold question is likely significance of the effects of the scheme in issue – not whether there may be more polluting schemes elsewhere.

5. The EIA must also assess downstream emissions, which will include the emissions arising from manure management, following R (Squire) v Shropshire Council [2019] EWCA Civ 888 (which remains applicable post-***Finch***). The Applicants' proposal to leave matters to future manure management plan is unlawful in light of Squire.

6. Further, the Council's scoping decision which relied entirely upon the reasoning of the Applicants to exclude climate from the EIA is legally deficient. In relying on other emissions standards and separate environmental permitting regimes, the Council has fallen into the same trap as the county council in ***Finch***. The reliance on other environmental regimes to control emissions is a clear legal error. Further, as was the case in ***Finch***, there does not appear to be any separate regime which could effectively avoid or reduce the upstream GHG emissions associated with the proposals. The reasoning within the scoping decision is therefore a standalone legal error, and one which renders the EIA decision-making process unlawful.

7. Overall, the Applicants' approach (unlawfully endorsed by the Council) – to exclude GHG effects from the EIA – undermines a principal objective of the EIA regime, namely public participation to ensure democratic legitimacy and public awareness.

Development is contrary to:

- Local Development Plan – Core Strategy, 2011;
- Paragraph 161 of the NPPF, 2024 (Greenhouse Gases);
- Local Climate Plan;
- National Food Strategy (recommends a 30% cut in meat production and consumption)
- NPPF, 2024;
- Environmental Impact Assessment Regulations 2017 (Reg.25)
- Queries how could 'high welfare standards' referred to be delivered?

Jan Palmer

Development is contrary to:

- Local Development Plan – Policies CS06, CS08, CS10, CS11 and CS12 of the Core Strategy, 2011;
- Environmental Impact Assessment Regulations 2017 (Annex 3)

No reference to how development will comply with the following:

- Nitrate Pollution Regulations 2015;
- Water Resources (Control of Pollution) (Silage, (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010;
- Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018.

Impacts on Natural Environment and Health:

- Adverse impact on habitats – especially Stone Curlews (RSPB indicate nest 375m from development) and hedgerows;
- Adverse impact on SSSIs;
- Health risk posed by Avian Flu;
- Inadequate information provided for waste and slurry, drainage, water contamination, noise pollution, flood risk;
- Warren Energy does not have a license to process poultry waste and have not yet agreed to take any. Therefore, waste disposal claims are unsubstantiated;
- Lack of full Greenhouse Gas Assessment (ref. *Finch* v Surrey County Council 2024).

Impact on Highways:

- Warren Road is unsuitable for HGVs (Stage 1 Safety Audit is required);

- HGV movements calculated incorrectly and Methwold speed camera shows road capacity is already substantially under the actual number of vehicles on local roads;
- Cranswick are relying on approval of a third party application for road improvements (Warren Energy) for entrance widening;
- Failure to assess hazardous loads, fear or intimidation upon fellow road users.

Cranswick Objection Group

Impacts on Natural Environment and Health:

- Ammonia scrubbers are not a feature of this development;
- Information on impact of odours and emissions is unclear and does not follow national guidance.

Transport and Highways Review (including Railton report):

- Concern over cumulative highway safety and amenity impacts on pedestrians, cyclists and equestrians resulting from two-way HGV traffic on Warren Road / at Warren Road junction.
- The updated transport arrangement and the previous version both suffer from a lack of inter-visibility for HGV drivers, potentially leading to a need for them to reverse long distances (up to 100m). Passing places strategy is ineffective.
- Estimates that Warren Road will be required to accommodate c.50 HGV movements per day (Sept to Oct) in both directions in association with the Warren Energy Anaerobic Digestion Facility;
- The swept path drawing of the Transport Statement only shows an HGV turning onto Warren Road at the B1112 Junction, ignoring traffic exiting the road.

Air Quality / Emissions (including Michael Bull and Associates advice):

- Question sources for ammonia emission figure estimates (identification of emitters only include applications and permits since 2020)
- Tables 21 and 22 of the Ammonia Assessment only discuss results in terms of a comparison with the existing situation. Examining these results against the sites critical loads/levels shows very high exceedance.
- Fitting scrubbers to the pig houses would reduce overall ammonia emissions in the area.
- New development should demonstrate that it can meet relevant environmental limits and not attempt to compare their impacts with an existing unacceptable situation.
- Odour assessments are erroneous (rates averaged over cycles rather than maximum values expected at the end of the cycle).
- The Assessment of PM2.5 Particulate Impact is based on the use of the 20µg/m3 air quality standard and not the 2023 air quality targets.

World Wildlife Fund

WWF opposes the grant of planning permission in relation to the construction and operation of two very large industrial livestock units at Methwold (chickens) and Feltwell (pigs). The number and size of industrial farms in the UK is rising – we calculate a 21% increase in the number of larger US style factory farms during 2016 – 24. These megafarms represent farming "against nature" rather than with it and underline the need for wider systemic change concerning the way we use land and sea through the adoption of a Living Planet Act.

The key points in our submission to the Environmental Statement ("ES") consultation are as follows:

- the council's decision to scope out greenhouse gas emissions from the ES, and the Applicant's assessment of GHG emissions in the revised ES, are unlawful for the reasons set out in the opinion of Estelle Dehon KC and Stephanie David of 24 January 2025

- in summary: the scoping opinion fails to take account of the Supreme Court's decision in the ***Finch*** case; the business-wide approach to assessment adopted by the Applicant fails to assess the emissions of the two projects before the council; the performance of the Applicant as against industry standards is legally irrelevant; it is perfectly possible to estimate the greenhouse gas (GHG) emissions arising from the pork and poultry that will be produced as WWF has done (see the statement of Paul Marsh); the claim that the pork and chicken produced may substitute for imports is legally irrelevant

- WWF estimates that GHG emissions of up to 50,000 tonnes can be attributed to the pork and poultry produced at the two units each year – that is around one third of the total GHG emissions from pig and poultry farms in West Norfolk

- WWF estimates that the projects will result in an overall increase of 26,000 - 31,000 kg of ammonia per year from the sites compared to actual baseline (7,500 pigs currently farmed on-site)

- the Applicant's claim that producing 14,000 pigs and up to 870,000 chickens on-site will lead to a "reduction" of ammonia emissions is premised on a baseline or "fallback scenario" which does not currently exist and has not been assessed. This is unlawful (and a point Natural England have also picked up on)

- the developer has unlawfully categorised the pig slurry not as waste despite not knowing where (across East Anglia) the slurry will be spread. This error of law is underlined by the recent decision in the case of NFU v Herefordshire County Council

- no other farm was scoped into the assessment of cumulative impacts despite farms such as Meadow Farm, the second largest pig farm (after Methwold itself) in the country being located around 3.5 miles away. The Methwold facility itself was scoped out despite being scoped into the HRA ammonia assessment. The

creeping industrialisation of the countryside through intensive agriculture is clear for all to see and must be properly assessed here

- there is no need for these units - the UK population already consumes (on average) more protein than we need2. The UK also produces more than 100% of the protein we need to meet dietary requirements (this rises to 200% if we include imports)

- the Committee on Climate Change has repeatedly advised that we need to reduce the amount of meat and dairy in our diets4 as this offers the biggest potential to release agricultural land for other uses. The applications are strongly at odds with these recommendations.

Global Network

- Object to industrial livestock production.
- UK target to become carbon neutral by 2050.
- Clear scientific evidence that excessive pollution from factory farming is a key driver.
- Application should fully assess impact of scheme on climate change
- Proposal is contrary to the need to reduce the production and consumption of meat on environmental and public health grounds.

Humane Being UK

Disease risks to humans from industrialised intensive animal farming, and especially mixed swine and poultry farms, is enormous.

Psychological and physiological stress to farmed animals needs to be substantially reduced. Latest scientific evidence concerning influenza viruses compounds the concerns about 'mixing vessel' hosts; no longer are concerns about mixing vessels limited to pigs, but also several other animal species, and at a level of high probability – most notably chickens and humans.

Strongly discourage granting any planning applications for new or expanding industrialised intensive animal farms, especially poultry and pig farms or a mix thereof, especially in areas with high existing concentrations of intensive animal farms.

Should concentrate on supporting arable agriculture (or transitions towards this), and on de-intensifying remaining animal farms. This aligns with One Health and One Welfare the foreground the protection of both animal and human health and welfare as integral to any animal farm. Recommended first step, reducing stocking densities for meat chickens down to 11kg/m2 (around five chickens/m2), and from over two pigs/m2 down to one pig/1.5m2 (assuming a 100kg pig).

RSPB

Both planning applications are within the breeding range of Stone-curlews within the Brecks.

Welcome provision of a Shadow Habitats Regulation Assessment, and welcome additional surveys over different breeding seasons. and within a 1500m radius of the proposed new buildings. The Shadow Habitats Regulation Assessment reports that Stone-curlews have been recorded nesting within 1500m of the development sites and the new buildings within these sites may therefore affect Stone-curlews.
It may be possible to predict the possible sources of disturbance to Stone-curlews from the non-residential buildings, which should include noise, light, human disturbance, and predation. The likely effects of these sources of disturbance should be assessed on receipt of further Stone-curlew surveys, and appropriate mitigation proposed. Depending on the outcome of the Habitats Regulations Assessment it may be possible to consider replacement habitat or compensation (subject to the appropriate tests being met).

CPRE

CPRE Norfolk objects to the above application for the following reasons-

- Expansion of farm by 5 times and impact on the countryside, landscape and residents would be far greater.
- Negative impacts on the landscape character of the area.
- Contrary to the NPPF Paragraph 174b.
- Development in contrast to the existing landscape character. Contrary to the Landscape Character Assessment (March 2007) of KLWNDC - E9 The Fens – Open Inland.
- Development is of a scale not proportionate to the level of growth planned.
- Contrary to Core Strategy, Policy CS02, CS06
- No clear local need for the expansion of the farm.
- Major concerns regarding the location of the site in terms of the HGV access to it which would lead to potential conflicts between members of the public and the HGVs and other vehicles using the site, both during construction and operation. Contrary to NPPF paragraph 110. The development would lead to an unacceptable impact on road safety and should therefore be refused permission, in line with NPPF paragraph 111.
- Large increase in light pollution from the site. Site is in an area classified as Rural Dark Landscape Light in the Norfolk County Council Environmental Lighting Zones' policy. It is not clear whether any external lighting is proposed. Also ref to NPPF Clause 185c. Any outdoor lights associated with the proposed development should be strictly controlled.

The **SUPPORT** representations have been summarised below:

- Population increasing, this application will address the need for food
- Beneficial for economy
- One big farm is better than lots of small ones
- British-produced food
- Increased HGV traffic won't make a significant difference

- Argue no strong link between COPD and farming pigs
- Argue tourism won't be harmed
- Argues private water companies cause harm to rivers
- Increased scale and intensification are needed for businesses to be sustainable
- From the perspective of environmental sustainability, there are many arguments to support the case for intensification
- Breaches of environmental regulations are more often than not from older facilities that were designed and built to far less stringent standards than are required today
- All farms in the UK are required by law to have sufficient manure storage and land under their control to spread manure over to comply with current NVZ regulations, so pro-rata, a larger farm represents no more risk to the environment in this regard than a small farm
- many risks can be managed and mitigated
- Unused pig units are currently on site, and the proposed development will redevelop what is already there.

Association of Independent Meat Suppliers

- State use of the word "megafarm" is to create distress. Large farms are common across the globe.
- Greenhouse gases – need to consider environmental impacts. GHG protocol to be considered.
- Additional food production needed to meet demand.
- State that ruminant livestock are the main emitters of methane, not pigs or poultry.
- Animal waste can be spread onto land and AD substrate.
- High purpose bird housing (and bio-security measures) are most effective way of protecting against Avian Influenza.
- Will replace old farm buildings
- Site would provide best in animal health and well-being

LDF CORE STRATEGY POLICIES

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM12 - Strategic Road Network

DM15 – Environment, Design and Amenity

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

KING'S LYNN AND WEST NORFOLK LOCAL PLAN 2021-2040

LP06 – Climate Change (Strategic Policy)

LP07 – The Economy (Strategic Policy)

LP11 – Strategic Road and Major Road Network (Strategic Policy)

LP13 – Transportation (Strategic Policy)

LP18 – Design and Sustainable Development (Strategic Policy)

LP19 – Environmental Assets – Green Infrastructure, Landscape Character, Biodiversity and Geodiversity (Strategic Policy)

LP20 – Environmental Assets – Historic Environment (Strategic Policy)

LP21 – Environment, Design and Amenity (Strategic Policy)

LP25 – Sites in Areas of Flood Risk (Strategic Policy)

LP27 – Habitats Regulations Assessment (HRA) (Strategic Policy)

NEIGHBOURHOOD PLAN POLICIES

None

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2021

PLANNING CONSIDERATIONS

The matters for consideration are as follows:

- Environmental Statement matters
- Principle of development

- Transport and Impact on the highway network
- Ecological impacts
- Climate change
- Air Quality and Contamination
- Neighbour amenity
- Form and character
- Drainage and Flood risk
- Heritage assets
- Water Extraction
- Any other material considerations
    - Animal welfare
    - Need for the development
    - Cranswick operations elsewhere
    - Public health
    - Legal agreement
    - Public protest
    - Any other matters requiring consideration prior to determination.

Environmental Statement matters

The Applicant has submitted an Environmental Statement (ES) under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The purpose of such a statement is to identify the likely significant effects of the development project on the environment, to assess those effects, to set out any mitigation measures, and to identify any likely residual effects. The statement is also required to describe alternatives considered by the developer. In terms of the assessment of environmental effects, ES considers both the proposed pig and poultry developments as a single project in order that the cumulative effects of the two units are appropriately considered. The ES details where there are topic specific exceptions to this approach.

The LPA is required to consult various bodies, and publicity for an EIA application is required to be undertaken by the LPA or the Applicant depending on specified circumstances. This enables the LPA to decide on the development proposal in the light of the net environmental effect of the development taking into account responses. Indeed, it is a requirement that the environmental information is considered when the LPA arrives at a decision and must state that it has done so.
The ES identifies the following broad headings of potential environmental effects of the proposed development project:

Air Quality;
Ecology;
Flood Risk and Drainage;
Ground Conditions and Contamination;
Landscape and Visual;
Noise and Vibration;
Transport; and

Materials Waste.

The ES considers both the construction and the operational phases of the development. It discusses the EIA methodology and the scope of the ES, describes the site, context and the proposed development, provides some information on alternatives considered, and reviews planning policy considerations at national, strategic and local level. The ES also considers the cumulative impacts. The principal conclusions of the assessment in the ES are summarised as part of the following section of this report.

The original ES (May 2022) has been revised twice (amended ES published as an addendum in March 2023 and a full revision in October 2024), with the relevant statutory publicity being undertaken. Updates to and development of the relevant topics outlined above have been made in the light of discussions held between BCKL&WN and the Applicant's agent and in response to a request for further information pursuant to Regulation 25 of the EIA Regulations (June 2024). As a result of these exchanges and consultee comments, changes to the design and specification of elements of the proposed development have been made. Statutory consultees have commented on relevant chapters.

The principal non-topic specific elements of the ES are summarised in the following sections: *Chapters 1 – 5, 14 and 15 – Introduction, Methodology and Scope, Site Context, Proposed Development including Alternatives, Planning Policy, Cumulative Assessment, and Conclusions.*
The introduction covers the need and purpose of the Environmental Impact Assessment (EIA), the format of the Environmental Statement (ES), and contributors, and the history of the application, with particular reference to amendments made in response to the Council's requests and Consultation responses.

The Methodology and Scope chapter covers and explains the objectives of the assessment and the approach taken to it in the context of the EIA Regulations and relevant guidance. It describes the assessment process, the basis for the assessment, and goes on to describe the assessment of the likely impacts and effects of the proposed development, in terms of the characteristics of change and sensitivity of receptors and the screening and scoping process. It sets out the topics that are subject to assessment in the ES and has regard to aspects of the environment likely to be affected by the proposed development, including identifying baseline conditions which in turn allows assessment of the extent and significance of the potential environmental effects.

The consultation process is described with the issues raised during scoping and the Applicant's responses to issues raised.

The environmental baseline is also described in the Methodology and Scope chapter and is described in terms of the numbers and locations of livestock at the unit at the time of the application (a total of 7,500 pigs at Feltwell and Methwold Farms). The 'fallback alternative' is outlined and described as the intended stocking levels at the site should the proposed development not receive planning approval. This is based on the maximum stocking described in an existing Environmental Permit for the site

(reference EPR/XP3632QE/T001) (a total of 20,948 pigs across Airfield, Methwold and Feltwell Farms).

The effects of the proposed development are defined in spatial, temporal and cumulative terms and the assumptions and limitations of the assessment are described. Where there are specific assumptions which are specific to a particular technical aspect of the proposed development, the relevant technical chapters provide additional detail.

The topic chapters have been approached in a consistent way and this section sets out the general structure adopted for all technical chapters of the ES dealing with assessment.

Site and Context

The Site and Context chapter explains the location, size, features (including built environment, topography, hydrogeology, geology and soils, flood risk and drainage, and environmental and archaeological designations/features, and air quality and pollution), and constraints of the application site with an explanation of the wider setting.

The description of the proposed development describes the proposed pig and poultry units separately, briefly detailing the construction methods to be used, with much greater emphasis provided for the operational phase of the project. Some detail on the proposed agricultural workers dwellings and landscape mitigation is also provided.

The pig and poultry rearing facilities are described without direct reference to specific drawings which are appended to the ES, relying on details of the numbers of buildings to be demolished and the numbers of proposed buildings and stocking levels accompanying brief descriptions of building types and associated infrastructure.

The operation of the proposed pig and poultry installations are described in some detail including rearing patterns, bedding/litter provision, water supply, feeding and manure and slurry generation. No background information is given to support the calculation of slurry and manure arisings.

The ‘Proposed Development Including Alternatives’ chapter also details the fate of manures arising from the operation of both the pig and poultry developments, which differ significantly. In the absence of available land at the site for the beneficial use of manure and slurry, all material is to be removed from site for use or disposal. Whilst litter from the proposed poultry installation will be disposed of *via* incineration at a nearby power station, straw-based pig manure would be removed from site and taken to unidentified sites for initial temporary storage and subsequent application to land for agricultural benefit. Slurry arising from the wash down of the poultry units and wastewater from ammonia scrubbing would be collected and contained temporarily on site before being removed from site as a waste by licensed contractors. Slurry from the pig operation, comprising seepage from manure, passage scrapings and wash down water, will be collected and stored on site using infrastructure compliant with the

prevailing pollution control regulatory regime, before being removed from site and applied to land for agricultural benefit.

This chapter also sets out site procedures for animal welfare, biosecurity, the treatment and disposal of fallen stock, the outbreak of notifiable and non-notifiable diseases and outbreak of fire.

Site infrastructure is described in relation to separate drainage for clean and dirty run off and building ventilation. Pig buildings have combined natural and mechanical ventilation, applied to open-sided buildings equipped with adjustable air-permeable side curtains and six metre high ventilation stacks. The operating protocols for the ventilation are not described other than that the side curtains are linked to the fan controller, based on the exhaust capacity of the fans. The curtains can also be manually lowered to provide narrow air inlets, or infrequently larger inlets for additional cross-ventilation for cooling pigs in warm weather. Ventilation for the poultry buildings will comprise ridge-mounted extraction fans with air inlets along the side of the building allowing air to be pulled into the building under negative pressure. Exhaust air will be conveyed through an air washing system which will remove approximately 90% of the ammonia and dust. At the start of the cycle a heat exchanger will manage most of the ventilation until later in the cycle when the need for more fresh air and cooling requires a greater use of the extraction fans and air washers. If necessary, in hot weather some or all of the ridge fans may be used to maintain a healthy environment towards the end of the growing period. During winter months, it is likely that none of the ridge fans would be needed at any point in the cycle as ambient temperatures are lower. The system will be computer-controlled, automatically adjusting fan operation and inlet angles to maintain optimal air pressure, velocity, and temperature.

Alternatives

In accordance with the EIA regulations, the ES does include a section on alternatives, although this has not been used to provide detail on potential alternative sites, layouts, building designs and operational practices, with the Applicant instead stating that the current and historical use of the proposed site, ownership of the site, and the existing environmental permit make the current site suitable for pig and poultry farming. The section goes on to provide a description of the Applicant's wider business and a brief summary of the history of the site. Given that the proposed poultry unit in particular has undergone a design evolution during the determination period of the planning application, officers consider that the ES should provide greater detail on the alternative considered, with only information provided relating to the amendments to the access arrangements and drainage. Furthermore, although the site does have a historic use of poultry production, this was decades ago and at a much smaller scale, with no environmental permit for poultry production ever having been in place at the site. As such, the claim that this historical use makes the site suitable for the proposed use carries limited weight.

The 'Fallback Alternative', which would involve the pig unit being stocked to the limits of the extant environment permit, is also described in this chapter. The ES makes reference to the appraisal of the existing buildings prepared by Trundley Design, which states that existing buildings could be brought back into use with only general repairs

and minor, localised building works. The ‘fallback’ position is discussed in further detail later in this report under ‘Ecological impacts’.

The planning policy chapter provides a summary of relevant national planning policy and the local development plan, referencing the Core Strategy, the SADMPP and the Norfolk Minerals and Waste Development Framework, and includes commentary on the Local Plan Review and the government’s reforms to the NPPF.

Air Quality

The air quality chapter was originally submitted in May 2022, with a supporting appendix containing input data used for modelling. Both were updated in February 2023 as an addendum, with the final version in October 2024, supported by three separate appendices describing the methodologies used in the assessment of the potential impacts of ammonia, odour and of particulates, plus a supporting note dated 23rd October 2024 in response to a third party submission.

In October 2024, the Council wrote to the Applicant under reg25 of the EIA Regulations 2017, requesting that an accurate assessment of emissions from the site be made, including those associated with the abnormal operation of buildings and new plant on site. It was also requested that the assessment should address potential mitigation measures and the cumulative effects on receptors within 10km of the site.

The chapter sets out to address the air quality and odour impacts of the operation of the proposed development on human and ecologically sensitive receptors as a result of fugitive dust emission impacts during construction and odour, dust, ammonia (NH_3), bioaerosol, road traffic exhaust and abnormal emission impacts during operation.

During construction potential impacts including dust and PM10 (particulates), have been addressed by way of appropriate site specific mitigation measures secured through a Construction Environment Management Plan (CEMP), which if effective, would result in a negligible residual effect.

In operation, there is potential for air quality impacts related to:

- odour, dust, NH_3 and bioaerosol emission impacts associated with pig and poultry rearing operations at the site;
- road traffic exhaust emission impacts associated with vehicles travelling to and from the site; and,
- odour, dust, NH_3 and bioaerosol emission impacts associated with abnormal events.

These impacts have been assessed using dispersion modelling supported by guidance from the Institute of Air Quality Modelling (IAQM).
Odour, dust, and NH_3 emissions have been considered under three scenarios:

- emissions associated with the proposed pig rearing operations at Feltwell Farm;
- emissions associated with the proposed poultry rearing operations at Methwold Farm; and

- emissions associated with the proposed pig and poultry rearing operations at Feltwell Farm and Methwold Farm, respectively.Inputs to the models are described in the relevant Appendix to the ES.

Inputs to the models are described in the relevant Appendix to the ES.

Although the layouts of the proposed installations were not changed in the final revised ES, the poultry accommodation buildings have been equipped with air scrubbers, and the overall stocking of the installation has reduced from 870,000 broilers to 714,000, a reduction of approximately 18%.

It is noted that pig production at Airfield Farm will continue until construction of the proposed pig unit at Feltwell Farm is complete, when the buildings at Airfield Farm will be decommissioned.

Odour

Sensitive receptors requiring specific consideration in the assessment were identified from a desk-top study and the sensitivity of each to odour impacts defined in guidance. Odour effects from the proposed pig development were predicted to be minor adverse at six receptors and negligible at 19 receptors.

Odour effects from the proposed poultry development were predicted to be minor adverse at eight receptors and negligible at 17 receptors.

The combined odour effects of the two proposed developments were predicted to be minor adverse at 12 receptors and negligible at 13 receptors.

The assessment of odour from the proposed pig buildings has used relatively low emission values, which, given the experience of odour issues associated with similar buildings at another nearby farm run by the Applicant, have not been adequately justified. Furthermore, the assessment of emissions from the pig unit does not account for extreme temperature scenarios. Given the above there is some concern that the assessment in the ES does not accurately reflect potential odour effects from the proposed pig unit. These concerns are discussed later in the report and it is considered that this matter could be addressed via the use of planning conditions.

Dust

Dust emissions have been considered for the construction phase and under four operational scenarios:

- background PM10 and PM2.5 (particulate) concentrations as predicted by DEFRA;
- future PM10 and PM2.5 concentrations as result of emissions associated with the proposed pig rearing operations at Feltwell Farm and existing background levels;
- future PM10 and PM2.5 concentrations as result of emissions associated with the proposed poultry rearing operations at Methwold Farm and existing background levels; and,

- future PM10 and PM2.5 concentrations as result of emissions associated with the proposed pig and poultry rearing operations at Feltwell Farm and Methwold Farm, respectively, and existing background levels.

The significance of operational dust emissions was determined according to both long- and short-term pollutant concentrations and the overall effect significance assessed.

The predicted effects associated with the dust generating activities in the construction phase ranges between minor adverse and major adverse, and although these are considered to be short-term, temporary, reversible, direct and avoidable the overall effects are considered to be significant. Mitigation has therefore been identified and will be included in a CEMP.

In the operational phase the effect of PM_{10} emissions has been assessed as negligible in all cases.

Ammonia

Ammonia emissions have been considered in line with the methodology outlined in the Habitat Regulations Assessment (HRA). The assessment is completed in line with a screening protocol which is outlined in guidance published by Natural England (NE). The screening found that there was a risk of a significant effect from the scenarios tested and an appropriate assessment carried out in order to more precisely assess the likely effects on sensitive receptors.

The predicted Process Contributions (PC) of ammonia and annual acid deposition at 13 receptors and in all scenarios were greater than 1% of the sites' critical loads, leading to the conclusion that a shadow appropriate assessment was required.

These results were used to inform a Shadow HRA that forms part of the Ecology chapter.

It should be noted that assessment fails to model an existing baseline, based on the latest stocking levels at the site, in order that emissions from the site can correctly be accounted for in the background NH_3 levels provided by the Air Pollution Information System (APIS). This means that the net contribution of the current operation to background levels provided by APIS cannot be taken into account in the assessment. This failure to model emissions leads to the inappropriate comparison between the 'fallback alternative', and the single and in-combination operation of the two installations. With no comparison of the existing baseline with any scenario for proposed development, it is not possible to ascertain whether the proposals would result in an overall worsening or betterment compared to the existing situation at nearby protected sites.

Bioaerosols

Bioaerosol emissions have been assessed for all relevant locations within 100m of the proposed development in accordance with Environment Agency (EA) guidance.

The assessment predicted that the effects associated with operational phase bioaerosol emission impacts were minor, long-term, permanent, irreversible, direct and unavoidable at all sensitive receptors.

Road traffic emissions were assessed for human receptors using criteria set out in IAQM guidance and it was found that the effect was not significant. For ecological receptors, the assessment was carried out in line with advice set out in the Habitats Directive. Where thresholds set out in the guidance are not exceeded the effect is considered not significant

The effects associated with operational road traffic exhaust emission impacts were predicted to be negligible, long-term, permanent, irreversible, direct and unavoidable at human and ecological sensitive receptors.
Abnormal emissions, associated with exceptional events such as fire, disease, extreme temperature, plant failure and feed spillage were assessed using the same methodology as bioaerosols.

The risk magnitude for disease outbreaks was identified as moderate for disease outbreaks, which is considered to be long-term, permanent, irreversible, direct, unavoidable and significant at all sensitive receptors. This is because of potential harm such as serious illness/death associated with exposure to bioaerosols from a disease outbreak. Mitigation to control potential impacts is identified in the ES.

The residual effects of all emissions to atmosphere during the operational phase of the proposed development is considered by the ES to be not significant.

Ecology

The ecology chapter was originally submitted in May 2022, with a supporting appendix containing details of a detailed ecological survey of the site. The October 2024 version is accompanied by two appendices containing Shadow HRAs for ammonia and non-ammonia related issues affecting identified ecological designations, as required by Natural England. The chapter considers the likely significant environmental effects of the operation of the proposed development on ecological and nature conservation receptors at the site and in the surrounding areas and identifies mitigation and/or enhancement measures where appropriate.

The assessment broadly follows guidelines published by the Chartered Institute of Ecology and Environmental Management (CIEEM) and its methodology is consistent with those of other topics in the ES.

Relevant ecological information was obtained through a desktop study for a search radius of 2km around the approximate site centre, equivalent to approximately 1.5km from the site boundary; a 10km radius was used for statutory sites.
There are 14 designated sites identified as potentially affected by the proposed development:

- Breckland Special Area of Conservation (SAC);
- Breckland Special Protection Area (SPA);

- Norfolk Valley Fens (SAC)
- Breckland Farmland SSSI;
- Breckland Forest SSSI;
- Cranwich Camp SSSI;
- Foulden Common SSSI;
- Gooderstone Warren SSSI;
- Grime's Graves SSSI;
- RAF Lakenheath SSSI;
- Stanford Training Area SSSI;
- The Brinks, Northwold SSSI;
- Wangford Warren and Carr SSSI; and,
- Weeting Heath SSSI.

An extended Phase 1 habitat survey of the proposed development site was undertaken in May 2021, and a verification survey and survey of the access routes in January 2023. A detailed botanical survey for rare and scarce Breckland plants was undertaken of Methwold Warren, an SSSI that lies within 135 m of the eastern site boundary, in May 2023. Appropriate species-specific surveys were carried out for bats, breeding birds, and badgers and brown hares, along with scoping assessments for Great Crested Newts and Reptiles, and a walkover habitat survey for terrestrial invertebrates. With specific regard to stone curlews, likely nesting density in relation to buildings and roads was assessed.

The assessment defined baseline conditions through desk-based study and field survey work and considers and defines, and where possible quantifies the potential for the proposed development to affect sites, habitats and species identified. It goes on to identify measures to avoid or reduce any significant effects, which are developed with the elements of the design and mitigation for other disciplines. Any residual effects of the development are then reported. Scope for enhancement is also considered.

Natural England's Biodiversity Net Gain (BNG) calculation tool was used to quantify change by comparing the overall value of habitats before and after the development, based on a function of area, quality and condition of habitats and location.

The assessment evaluates the relative importance of identified ecological receptors, the majority being considered to be of local importance and of very low or low value. Nature Directive sites are of very high value, other statutory sites are of high value, and non-statutory sites are of moderate value. Breeding birds are considered to be of district importance or moderate value and other species and habitats assessed of Local importance or of low or very low value. There is no map setting out the distribution of these sites relative to the proposed developments.
Potential impact pathways were identified as:

- Construction-related noise and disturbance, principally in relation to the Breckland SPA
- Birds;
- Dust from construction;
- Direct habitat loss from development footprints and changes in land use;

- Direct destruction and disturbance of nests during construction;
- Visual impacts on stone curlews;
- Noise and disturbance during operation;
- Lighting during operation;
- Vermin attracted to the rearing facility and either acting as direct predators of ground nesting
- birds or supporting elevated populations of other predators;
- Air pollution due to atmospheric ammonia, nitrogen deposition and acidification; and
- Changes to local groundwater, including water availability and quality.

Potential impacts during the construction phase of the proposed development include direct habitat loss and disturbance to species from works, due to noise and dust. Potential impacts during the operational phase include disturbance of species, and air quality impacts on vegetation, species, and designated sites.

The ES details that the CEMP will include detailed procedures for the effective mitigation of various identified ecological impacts during the construction phase.

It is proposed to deliver enhancements on the proposed development site via woodland planting, grassland and sparse scrub planting, new hedgerows and planting within attenuation features. Planting will increase habitat availability for species within the site. BNG calculations estimate net gains for the facilities in combination (+27.6%), and for the facilities in isolation (+46.6% for pigs & +24.4% for poultry).

The impact of the operation of the proposed development on groundwater fed designated sites is assessed as negligible on the grounds that operational practices and the separation distance of 6.8km are sufficient for there to be no impact. No details of mitigating operational practices are described and there is no specific hydrogeological assessment of the likely impact.

With respect to impacts, the assessment concludes that the proposed development will not have an adverse impact on SPA and SAC receptors, based on an absence of evidence that current impacts are attributable to ammonia. The Applicant considers that, when assessed against the fallback alternative, the residual effects of the proposed development are beneficial because of decreases in the deposition of nitrogen-related pollutants at all designated sites.

Two shadow HRAs informed the conclusions of the assessment, for ammonia and non-ammonia emissions to atmosphere.

Both documents dealing with emissions are informed by updated modelling described in the air quality chapter, including changes to the numbers of livestock kept at the site and the incorporation of air scrubbers in the design of the poultry accommodation.

The ammonia HRA sets out evidence of the current condition of the sites and considers the Process Contributions (PCs) associated with the operation of the proposed installations against that baseline. Furthermore, the HRA considers *“other factors… …which may mean that a plan or project that exceeds the 1% screening*

threshold can still demonstrate no adverse effect (sic) *on site integrity".* Specifically, ammonia deposition is considered relative to evidence and data regarding site condition and whether there is existing evidence of adverse impacts associated with ammonia.

The HRA considers three Nature Directives sites within 10km of the proposed development:

- Breckland Special Protection Area (SPA);
- Breckland Special Area of Conservation (SAC); and
- Norfolk Valley Fens Special Area of Conservation (SAC).

The assessment concludes that the proposals will not affect the site integrity of any of the Nature Directive sites.

These conclusions are based on the absence of evidence that the current ammonia baseline has no effect on the sites under the current management regimes, which are designed to address the drivers relating to site conditions, namely, grazing/disturbance to limit succession, fertiliser inputs, forestry and heathland management and water supply. In the absence of effective management, it is accepted that PCs from the proposed developments may contribute to a decline in condition but that decline would be evident irrespective of those contributions.

The assessment does not consider the likely impact of PCs in isolation and the likelihood that any reduction in PC would have a potential beneficial effect on receptors. It is advocated in the ES that the substantial reductions in PCs from the proposed development compared to those likely to be associated with the fallback alternative represents betterment and thus an improvement.

The non-ammonia HRA describes the three Nature Directive sites, the separation distance between the proposed development and each potential receptor and potential impact pathways likely to be associated with adverse effects.

The following pathways and sites are screened out of the assessment:

- General disturbance and pathways such as dust and groundwater are screened out for Breckland SAC and Norfolk Valley Fens SAC because the separation distance are greater than 2.9km;
- Operational phase particulate levels are screened out because PM10 and PM2.5 will be below target levels within ~100m of the source; and
- Lighting and vermin are also screened out by virtue of distance and/or in conjunction with the scheme design and intrinsic operational requirements.

The assessment identifies dust during construction (without mitigation) and recreational disturbance in combination as the only pathways with potential adverse impacts. At the Appropriate Assessment stage, mitigation for dust is in the form of 'industry standard' measures, set out in a CEMP, and mitigation for recreational disturbance in competition is in the form of a per dwelling tariff payment, applied to the four new workers' houses, as advocated in *The Norfolk Green Infrastructure and*

Recreational Impact Avoidance and Mitigation Strategy. Thus, the assessment concludes that identified mitigation reduces the impacts of the proposed developments to a level where they will not have an impact on the integrity any Nature Directives sites.

The chapter identifies that the construction of the proposed development has the potential to disturb ground nesting birds and barn owls, although legal compliance can be achieved through timing the start of works to avoid the nesting bird season or the use of a watching brief.

Other effects on protected species through general disturbance, lighting, predation by vermin etc. are assessed as negligible.

Flood Risk and Drainage

The flood risk and drainage chapter was originally submitted in May 2022, with an updated version provided in the revised October 2024 ES.

The site is in the Environment Agency (EA) Flood Risk Zone 1 and is considered at a low risk of flooding from fluvial (rivers & sea) sources. The site is at low to medium risk of pluvial (surface water) flooding and at low risk of groundwater flooding.

However, given the large area of new impermeable surfacing associated with the proposed development, there is a risk that surface water runoff from installation could give rise to flooding off-site. Furthermore, once operational, the proposed development has the potential to increase the risk of contamination of surface and ground waters through inappropriate drainage, with contaminated water and slurry needing to be adequately managed to mitigate this. Contamination of ground and surface waters during the construction phase will be mitigated through the use of a Construction Surface Water Management Plan.

The proposed drainage has been designed in accordance with the SuDS hierarchy, with rainwater harvesting and infiltration being the methods used to control surface water flows from the site. The drainage system has been designed to accommodate a 1 in 100 year rainfall event allowing for a 45% increase due to climate change. The proposed drainage strategy for the new pig unit is for clean water from roofs to be collected, and discharge via an infiltration basin. The proposed drainage strategy for the new poultry unit is similar, but for surface water to be discharged onto a filter drain first before being discharged via an infiltration basin. The poultry unit would also include an attenuation basin to allow rainwater harvesting for reuse of the roof water. In terms of surface water flooding, the proposed development has been assessed as having a minor beneficial effect.

For both the proposed pig and poultry units, appropriate containment systems would be included to ensure that slurry or dirty water would not be allowed to contaminate the clean surface water drainage system. Semi-contaminated water from access roads will drain to a system of filters strips, prior to draining to a soakaway.

In terms of potential for adverse effects on the Nitrate Vulnerable Zone (NVZ) associated with the storage and spreading of slurry and manure arising from the pig and poultry units, the chapter details mitigation measures such as the adequate storage of slurry to comply with regulations, the avoidance of spreading during closed periods, and that manure and slurry will be spread by third parties in accordance with legal requirements and code of practices, using manure management plans. The ES assesses the potential effect on the NVZ associated with manure and slurry spreading as negligible. As discussed in detail in the Materials and waste section below, it is not considered that the ES provides adequate information to confirm that slurry and manure arising from the proposed development can be spread without adverse impacts to surface or waters. As such, it is not possible to ascertain that the negligible effect on the NVZ assessed in the ES is correct.

Ground Conditions and Contamination

The ground conditions and contamination chapter was originally submitted in May 2022, and in response to a request for further information pursuant to Reg 25 of the EIA Regulations, with an updated version provided in the revised October 2024 ES.
The chapter deals with the potential for the proposed development to mobilise sources of contamination during the construction and operational phases, with associated effects on human health, drinking water supplies, groundwater and surface water, soils, ecosystems including wildlife, animals and wetlands, and property. The assessment of potential effects identified in this chapter were undertaken through the following four steps: baseline environmental data review; site walkover; conceptual site model/ pollutant linkage analysis; and hazard assessment.

Potential sources of contamination at the site include asbestos roofing which might require appropriate handling during the demolition of existing buildings, soils contamination associated with historical airfield operations and the old manure pads which could affect human health as well as leach contaminants into groundwater. The chapter identifies that the construction and operation of the proposed pig and poultry units may introduce sources of contamination such as from dirty water, fuels, oils and chemicals, spillages from vehicles and the storage of slurry and manures. Soil and controlled waters may be at risk of contamination should uncontrolled spillages or leaks from these sources occur. The assessment finds that with the exception of potential harms to human health of workers during the construction phase associated with asbestos and contaminated soils, all other effects were assessed as minor adverse significance following appropriate mitigation.

Landscape and Visual

The site and the surrounding area does not fall within any national or local landscape designations.

The Landscape and Visual Impact Assessment (LVIA) identifies the landscape character of the site as having a gently undulating landform with a combination of farmland and mature plantation woodlands and tree belts, with the vegetation creating a good degree of visual enclosure to much of this landscape. The site is also defined

by the existing pig rearing facility, redundant poultry sheds, the group of single storey dwellings and the anaerobic digestion plant.

The landscape mitigation for the proposed development takes account of the existing screening provided by established vegetation, with trees and hedgerows retained wherever possible. The existing vegetation would be supplemented by small areas of new woodland, scrub and hedgerow planting minimise the impacts of the new development on the local landscape and visual receptors.

The Zone of Theoretical Visibility (ZTV) is relatively contained and in the long term there are no points where the development could be seen in its entirety given the existing established vegetation and built form. The ES has assessed that there would be long term minor adverse effects for users of PROW along the track leading to B1112, negligible/minor adverse effects for the residents of single storey properties at Breckland Farm and residents at Muriel's Farm respectively. All other residual visual effects have been assessed as negligible. With regards to the long-terms effects of the development on landscape character, these have been assessed as negligible.

Noise and Vibration

The noise and vibration drainage chapter was originally submitted in May 2022, with an updated version following design changes provided in the revised October 2024 ES.

The main sources of noise and vibration which could potentially affect nearby residents are cconstruction equipment, power tools, vehicle movements during the construction phase, fixed mechanical equipment (fans, ammonia scrubbers etc.) and vehicles movements during the operational phase.

Existing noise levels at various sensitive receptors in the locality of the proposed development as agreed with the Senior Community Safety & Neighbourhood Nuisance Officer have been measured, which demonstrate that the area has low levels of background noise.

The level of noise generated from construction activities will vary considerably throughout the duration of the works, with a CEMP ensuring that best practice measures to minimise construction noise effects are implemented. Although there is the potential for short-term noise and vibration effect of moderate adverse significance during periods where particularly noisy activity is taking place close to the nearest existing residences, for the majority of the time it is anticipated that any effects will be of negligible or minor adverse significance.

In terms of operational noise effects, the assessment has considered the noise associated with vehicles at the site, fixed plant, feed silos, and shed cleaning and also assesses the cumulative noise from certain operations. The assessment has also considered off site noise impacts associated with the traffic moving to and from the site at site including Clopton Cottages, Muriel's Farm and Hanger Bungalow. The assessments finds that operational noise from fixed plant and on-site vehicles with result in internal and external noise levels at nearby residences in accordance with the

guidance set out in BS 8233 and BS 4142. The assessment of effect has therefore been concluded as negligible adverse. A worst-case assessment of potential noise emissions attributable to HGV and loading/unloading activity on the pig and poultry units has been undertaken and it has been concluded that the effect would be of negligible to minor significance. The assessment of off-site traffic noise impacts on residential dwellings has found that there would be a minor adverse effect on these receptors.

Overall, any potential adverse impacts can be mitigated through the design process and using best practice measures.

Transport

The transport chapter was originally submitted in May 2022, with an updated version following design changes provided in the revised October 2024 ES.

The chapter assesses the likely environmental effects of the development in respect of traffic and transport taking into account the Transport Statements (TS) prepared for the pig and poultry units in isolation. The TSs appended to the ES provide a more detailed analysis of the transport aspects of the proposal, providing the basis for the assessment in the Transport chapter.

Automatic Traffic Counts (ATCs) were undertaken in September 2021 on the B1112 Brandon Road and in October 2022 for B1112 Lodge Road. Further ATCs at these locations were undertaken during September/October 2023 following queries with regards to the accuracy and timing of previous data. In terms of the baseline traffic movements from the pig unit, these have been calculated from the operation as it currently exists (2,169 annual movements), rather than the 'fallback position', which has a much larger number of associated livestock. This is to ensure that a worse-case scenario in terms of traffic increase was considered. The assessment then compares traffic movements associated with the pig and poultry units to the current baseline and shows the following changes in traffic movements at the site. The assessment finds the following:

- Proposed pig unit – 3,321 movements, increase of 1,152 annual movements (53% increase) compared to the existing situation. HGVs increasing from 650 annual movements to 1,072 annual movements (422 movements, 65% increase);
- Proposed poultry unit - 3,567 movements, increase of 1,398 annual movements (64% increase) compared to the existing situation. HGVs increasing from 650 annual movements to 2,069 annual movements (1,419 movements, 218% increase); and
- Proposed pig and poultry units – 6,888 movements, increase of 4,719 annual movements (218% increase) compared to the existing situation. HGVs increasing from 650 annual movements to 3,141 annual movements (2,491 movements, 383% increase).

The annual increase in traffic movements compared to the current levels would be considered a "substantial" impact based on IEMA Guidelines which note that the Department for Transport (DfT) assumes 30%, 60% and 90% changes in traffic levels

should be considered as “slight”, “moderate” and “substantial” impacts respectively. However, the peak daily increase on AADT flows on Brandon Road and Lodge Road have been shown to be between 3-4.5% (two-way flow), which is a low impact. In terms of highways impact, a less than 5% increase is not significant and therefore from a highways perspective, there is not a significant increase in daily traffic flows on peak traffic days (peak poultry and peak pigs combined).

Norfolk County Council has been consulted and have confirmed that they would have no objection to the proposed development provided certain issues are resolved. These include:

- Suitable visibility can be provided and maintained (within highway or on land under the Applicants control)
- The access is a suitable width to cater for 2 HGVS to pass (minimum 6.5 metres in width).
- The junctions are constructed in accordance with the local highway authority specification (for the first 20m from the junction with the B1112).

Revisions to the proposed development including the provision of a one-way system which utilises an access with appropriate visibility and the provision of passing bays on the access roads. The proposed access points to the site have been considered acceptable by Norfolk County Council, with the potential requirement for a right-turn lane having been dismissed.

Highways mitigation would include a Traffic Management Plan and a routing agreement which would take all HGV movements to and from the site via the B1112 and the A134, with traffic travelling from the Site, east and north along the B1112 and joining the A134 at the B1112 Methwold Road / Bridge Road / A134 roundabout, avoiding C class roads.

The ES has assessed that the increase in traffic could be considered to have a substantial adverse effect when considering proposed annual traffic levels against current traffic levels. However, when considering peak daily traffic, it would be a minor adverse effect.

Materials and Waste

The materials and waste chapter was first published in May 2022 to address the likely significant waste impacts of the Proposed Development in relation to the effects it would have on the increase in waste generation from demolition and construction activities, and the subsequent increase in demand at local waste treatment and disposal facilities. A second version of the chapter formed part of the October 2024 version of the ES in response to the Council’s request for further information with respect to operational waste in addition to waste generated during construction.

In October 2024, the Council wrote to the Applicant under Reg 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, stating that insufficient information relating to the management and disposal of operational wastes had been provided with the ES. Specifically, the request required that, in order to

provide a robust assessment of the likely significant effects of both construction and operational phases of the proposed development, the on and off-site management of manure, broiler litter, slurry, fallen stock and other wastes arising as a result of the operation of the site be quantified and where spreading agreements might be made.

The request was acknowledged in the final version of the ES and the chapter revised in order to assess the impacts of waste generated during operation.

The chapter provides information on wastes arising during the construction and operational phases, using IEMA guidance which requires that wastes arising are evaluated against the capacity of inert, non-hazardous, and hazardous landfill. It goes on to detail the volume and types of construction (demolition) waste and operational wastes (specifically slurry, pig manure, poultry litter, fallen stock, dirty water from ammonia scrubbers and recyclables). Information regarding the quantities and types of materials needed for the construction of the proposed development was not available at the time of writing of the ES and has not been considered in detail.

The lawful application of pig slurry, pig manure and poultry litter to land requires that where they are used as a soil fertiliser to the benefit of crops, the land to which the effluent is to be applied is identified in advance and the effluent not to be 'overspread' based on the needs of that land. This issue has been recently ruled on in the High Court (The National Farmers' Union v Herefordshire Council & Ors [2025] EWHC 536).The incineration of poultry manure as a waste, as is proposed in this application, is permissible only where the manure is treated as an animal by-product under the Environmental Permitting Regulations (EPR) and the incineration is associated with heat recovery.

Although the chapter provides a summary of relevant waste legislation, it is notable that the chapter fails to address the regulatory and guidance relating to livestock manures.

Regulations relating to the storage and use of livestock manures are:

The Nitrate Pollution Prevention Regulations 2015;
The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010; and
The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018.

With regards to the volumes of construction wastes, in the absence of details of waste arising during the demolition and construction phases, volumes arising have been estimated using widely accepted benchmarks. In terms of the quantities of livestock manure, fallen stock and effluents arising are attributed to the Applicant and set out in the ES but are not supported by references or calculations.

The assessment concludes that the impact of all aspects of the construction phase of the proposed development are slight, and not significant. Given the sensitivity and the magnitude of materials used in terms of national availability, the significance of the

effect of materials used in the proposed development related to materials is assessed by the Applicant as not significant.

Regarding the operational phase of the proposed development, the Applicant's assessment concludes that the impact of the proposed development on immediately available inert, non-inert and hazardous landfill capacities will be slight, not significant.

In terms of the proposed pig unit, no evidence has been provided to demonstrate the availability of suitable land and crops for the safe, sustainable and lawful application of manure and slurry.

The lack of consideration given to livestock manure arising during the operational phase of the proposed pig installation is of concern. The EA operating permit relates only to the management and storage of manure on site, it does not cover the management of manure and slurry off site, or the availability of land to which it can safely be applied in accordance with prevailing regulation. The site operator should ensure that sufficient land is available for spreading manure arising from the operation of the installation and currently operates a permitted livestock installation within that regime.

No evidence is provided of the volumes of slurry and manure likely to be associated with the asserted fallback position and the adequacy of existing manure and slurry storage on the site to contain those quantities within the prevailing regulatory framework, or to apply them to land safely. It is very likely that the relevant regulatory requirements have changed since the installation was last operated at full capacity and no evidence is provided to demonstrate that regulatory compliance is achievable. The current status of manure storage at the site, and the handling of manures arising from the operation of the installation are required to be recorded for the previous five-years to satisfy prevailing environmental regulation, to demonstrate that the existing operation can function sustainably. Without information that the Applicant has access to sufficient land on which to apply manure and slurry arising from the proposed pig unit for agricultural benefit, it is not possible to adequately determine whether the installation can operate within the limits of existing regulatory regimes and/or that the effluent can be disposed of lawfully.

Cumulative Assessment

The cumulative effects of the development are considered in a standalone chapter, which considers both the inter-project effects (the combined effect of the Proposed Development together with other reasonably foreseeable or committed developments) and the intra-project effects (the combined effects caused by the combination of a number of impacts on a particular receptor).

The zone of influence for the assessment of these effects has been set at 2km other than the for the consideration of air quality impacts on protected sites, with the zone of influence set at 10km.

The assessments finds that the cumulative inter-project and intra-project effects associated with the operation of the proposed development would be no more than minor adverse and therefore not significant.

Conclusions in the ES

The conclusions section has been updated in line with the revisions to the ES, with the original document prepared in April 2022, revised in 2023, with the final revision in October 2024.

The conclusions find that for the majority of topics assessed, the residual (following mitigation) construction and operational effects of the proposed development would be no more than minor adverse, which is not significant. Exceptions include surface water drainage which would see a minor beneficial effect during operation, minor to moderate adverse landscape, and visual and noise and vibration effects during construction. This summary of effects is a reflection of the conclusions chapter of the ES and does not take into account the potential shortcomings of topic assessments outlined above.

Overall, officers have concerns with the assessment of the following topics (in the ES):

- Air Quality -
- There are concerns that the odour emission values used in the modelling do not accurately reflect emissions at similar nearby buildings operated by the Applicant;
- the ES fails to model ammonia emissions from an existing baseline at existing stocking levels in order that it can be taken into account in the assessment of effect on nearby protected ecological sites;
- Flood Risk and Drainage – given that the ES only provides very limited information as to where manure and slurry arising from the proposed development will be applied to land, is not possible to accurately assess whether the proposed development would have an adverse effect on the NVZ;
- Minerals and Waste – there has been no evidence provided in the ES that manure and slurry arising from the proposed development can be lawfully applied to land. As such, the ES is inadequate in terms of its consideration of wastes.

Principle of Development

While the settlements of Feltwell and Methwold are both categorised as Key Rural Service Centres in the adopted Local Plan, the application site falls within open countryside as designated on the adopted Local Plan Proposals Map.

The current and emerging Development Plan provides a comprehensive planning policy framework against which the proposal should be fully assessed. The Development Plan is considered up to date and is broadly consistent with the National Planning Policy Framework. Planning law requires that applications for planning consent should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The matters for the consideration of this application are detailed above in this report.

The adopted Core Strategy policy CS06 outlines the authority's strategy for rural areas to '*promote sustainable communities and sustainable patterns of development to ensure strong, diverse, economic activity; maintain local character and a high quality environment….'* It goes on to outline the policy approach for rural diversification schemes and conversion of existing buildings for business purposes is supportive 'providing any proposal: meets sustainable development objectives and helps to sustain the agricultural enterprise; is consistent in its scale with its rural location; is beneficial to local economic and social needs; does not adversely affect the building and the surrounding area or detract from residential amenity.'

Policy CS10 of the Core Strategy sets out the policy approach to Rural Employment Exception Sites. *'The Council will support the rural economy and diversification through a rural exception approach to new development within the countryside; and through a criteria based approach to retaining employment land and premises.'*

The new Local Plan continues to direct development to the most sustainable locations, and beyond the villages, the locally distinctive countryside has been protected in its many attributes and continues to provide for the social and economic needs of those who live and work there. The local economy has been bolstered by guiding new development to the most sustainable locations, the needs of the agricultural sector and the potential for diversification into other activities, and by retaining where possible, current employment sites.

Policy LP07 of the new Local Plan sets out the policy approach to Rural Employment Exception Sites. 'The Council will support the rural economy and diversification through a rural exception approach to new development within the countryside; and through a criteria based approach to retaining employment land and premises.'

The National Planning Policy Framework states in paragraph 88: *'Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings; b) the development and diversification of agricultural and other land-based rural businesses;..'* and paragraph 89 states:

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

Objections to the application state that the development proposed is of a scale at which it should be considered a commercial enterprise rather than an agricultural development, and that it should be assessed against the policy framework as such. However, while the scale of development is significant, the use of the land is currently agricultural. The application does not seek to change the use of the land, but the

development consists of the construction of the agricultural buildings (and associated infrastructure and workers dwellings) which would result in a much more significant scale of operation and density of livestock.

In terms of the principle of development, both the Local Plan and the NPPF clearly support the growth and expansion of rural businesses. However, the policy framework does also refer to the need to balance this priority against other factors, such as the protection of the high-quality environment. These other planning matters for consideration are listed above and discussed in detail in the report below. Subject to the consideration of all other planning matters, the principle of development for the proposal is in accordance with adopted Local Plan policies CS06 and CS10, new Local Plan policy LP07 and the NPPF.

Transport and Impact on the highway network

The adopted Local Plan, in policy CS11, states 'development proposals should demonstrate that they have been designed to:

- Reduce the need to travel.
- Promote sustainable forms of transport appropriate to their particular location and related to the uses and users of the development…
- Provide for safe and convenient access for all modes.'

Policy DM12 seeks to recognise and protect the Strategic Road Network in the borough, including the A134...New development served by a side road which connects to a road forming part of the Strategic Road Network will be permitted provided that any resulting increase in traffic would not have a significant adverse effect on the route's national and strategic role as a road for long distance traffic; highway safety; the route's traffic capacity; and the amenity and access of any adjoining occupiers.

Policy DM15 requires that 'Development proposals should demonstrate that safe access can be provided, and adequate parking facilities are available.'

The new Local Plan policy LP13 requires 'development proposals should demonstrate that they have been designed to:

a) reduce the need to travel.
b) promote sustainable forms of transport appropriate to their particular location and related to the uses and users of the development. In order of preference this should consider: i. walking, ii. Cycling, iii. public transport, iv. private car
c) provide for safe and convenient access for all modes.'

Policy LP11 (of the new Local Plan) seeks to recognise and protect the Strategic Road Network in the borough, including the A134... 'New development served by a side road which connects to a road forming part of the Strategic and Major Road Network will only be permitted provided that it will not result in any unacceptable impact on highway safety, capacity, access or that the residual cumulative impacts from development, on the existing road network, would be considered severe.'

Policy LP21 (of the new Local Plan) requires that 'Development proposals should demonstrate that safe access can be provided, and adequate parking facilities are available.'

The NPPF in paragraphs 115-116 state:

'115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
b) safe and suitable access to the site can be achieved for all users;
c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

116. 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, following mitigation, would be severe, taking into account all reasonable future scenarios.'

Transport and access proposals

The development proposes to utilise access from the south, the B1112. The B1112 is the main route between Brandon and Methwold. There would be one route into the site, via Warren Road and then west onto a private road. Exiting the site would be via a new/ upgraded private road which runs south of the tree belt and then joins an existing private road running north to south and then exit onto the B1112 to the west of Warren Road.

The entry route proposed would follow the same route Warren Energy (the operational Anaerobic Digestion (AD) plant at Methwold Farm) are intending to utilise for some of their vehicle movements. Warren Energy have submitted planning applications to Norfolk County Council (as the determining planning authority for waste applications), planning references FUL/2021/0011 and FUL/2021/0013. These proposals include improvements to Warren Road in the form of passing places to facilitate the use of this access for up to 36 HDV daily as an annual average. These applications remain under consideration, and a determination date is unknown at this time. Given the uncertainty regarding the determination and implementation of the consents (in full), the Applicant (for this application) is proposing to include these off-site highway improvement works as part of this planning application to ensure the works would be completed and could be conditioned accordingly.

For vehicles leaving the site a new private road would need to be constructed running east to west, linking two existing private roads. The western of these currently serves

the 13 existing dwellings to the west of the application site, and this road would be utilised to allow vehicles to exit onto the B1112. This point of access will be widened.

The proposed development would generate HGV movements. The eggs would arrive from Great Yarmouth or Kenninghall in HGVs, after approximately 41 days on site birds would then be transported off-site to Eye (Suffolk) for processing. The Applicant predicts a total number of 3,567 vehicle trips per year would be generated, 2,069 of which would be HGV movements. Including the additional traffic generation of the pig rearing facility proposed adjacent, this is a total prediction of 6,888 vehicle trips per year of which 3.141 would be HGV movements. This equates to an average of 28 in/out movements per day of which 12 would be HGVs. The current traffic levels from the site are approximately 2,169 (650 of which were HGV movements).

In terms of the poultry vehicle movements, these would be subject to peak activity times when the units are emptied. This would occur over a period of 3 days, 7 times a year.

Throughout the application, there has been significant dialogue between the Local Highway Authority and the Applicant's transport consultant in relation to the access strategy to / from the site, the junction form, and the submitted assessment of permitted and proposed traffic generation in relation to the site.

Third party representations

A significant number of objections have been received to the proposal on traffic and highways grounds. This is in terms of the impact on the local road network, their capacity to accommodate this increase and potential damage done to the network by HGVs, as well as the impact of increased movements on noise and disturbance for residents. The traffic would also generate emissions and have a detrimental impact on air quality.

Cranswick Objection Group commissioned a ‘Transport and Highways Review’ of the application as submitted. The Review concludes that ‘the transport supporting work is flawed, lacks important information and under-estimates the adverse impacts of the proposed development, particularly in relation to highway safety risks to vulnerable highway users.’ Full summaries of the objections are included above in the report.

Proposed traffic generation and modelling

The Applicant’s Environmental Statement has considered the worst-case scenario of peak pig and poultry vehicle movements in combination, and this states it would result in an increase of traffic on B1112 of 3-4% on those peak days. For HGV movements this would be an increase of 14% on Brandon Road and 21% on Lodge Road compared to current traffic levels. This equates to a 'worst-case scenario' daily peak (should all peak activities occur simultaneously) of 60 one way movements (60 in / 60 out) of which in the region of 44 would be HGVs (i.e. 44 In & 44 out). However, the Applicant has submitted a Traffic Management Plan to ensure that the peak movements on the pig and poultry sites do not occur at the same time, by managing the timing of HGV movements to prevent any queuing on the B1112. The Applicant

states that, based on their assessment work, the local highway network has sufficient capacity for these additional vehicle movements. The Applicant's Transport Statement concludes that the development would not have an unacceptable impact on highway safety.

It is accepted that the rural location of the site and the nature of the development is such that there is limited opportunity to encourage the use of sustainable modes of transport. The majority of vehicle movements will be operational traffic. Four of the ten staff to be employed would live on the site. For the other six staff, the closest bus stop is in Feltwell, over 1 mile away from the site. It is not considered this is an appropriate site and location to encourage sustainable transport solutions.

Proposals for vehicle routing and impact on road network

Suffolk County Council as the Local Highway Authority for the adjoining county object to the development as no consideration has been given to the full routing of HGV traffic to the Cranswick facility near Eye, Suffolk and this may result in HGVs using unsuitable routes within Suffolk without control mechanisms in place. They suggest that the Traffic Management Plan (TMP) includes an updated drawing showing full routes to the proposed destinations, or a planning condition requiring details of routes/ TMP to be agreed prior to use is imposed upon any permission. They also state that insufficient information has been submitted re long term forecasts of the day-to-day running of the sites.

Third party concerns raised are also in relation to the suitability of the B1112 (particularly through the more built-up sections of Methwold & Brookville) to cater for the development traffic, its current level of maintenance and the impact any increase would have on the built areas. It is the view of the Local Highway Authority that at this point, the B1112 is designated Category 3A2 Main Distributor Route and these roads primarily cater for essential cross-county short to medium distance journeys linking strategic routes and urban centres with the strategic network.

In terms of design standards the Local Highway Authority has confirmed that the route accords with the national guidance and is considered suitable therefore to cater for HGV movements (by virtue of its width and adjacent footways) including an increase. Furthermore, there are not considered to be current maintenance issues on the route. With regard to concerns in relation to existing HGV movements on the network; given the routing agreement proposed, coupled with the likely volume of HGVs outlined, the Local Highway Authority do not consider it reasonable to recommend any further measures to control vehicle movements (i.e. a formal weight restrictions) directly off the back of these proposals. They also note that concerns have been raised with regard to existing issues with speeding traffic on the B1112 through Methwold & Brookville. However, given the likely overall increase in traffic on this route they do consider that the provision of a part time school 20 mph speed limit on the B1112 in Methwold to mitigate against the increase in HGV traffic should be provided.

Proposed monitoring of vehicle movements

The Applicant is proposing to control and monitor the routing of HGVs to / from the site via the B1112 and the A134, with traffic travelling from the site, east and north along the B1112 and joining the A134 at the B1112 Methwold Road / Bridge Road / A134 roundabout. The Highway Authority would seek to secure this monitoring arrangement by condition but this would of course rely upon the goodwill of the Applicant to adequately manage this and the Council to enforce. However, concerns are raised by the Council as to how this enforcement can reasonably be secured and monitored.

Concerns have also been raised by the Cranswick Objection Group and local residents regarding impact on traffic flows on the B1112. The Applicant has provided Automated Traffic Count Data. Methwold Parish Council query this data provided, as these are considerably lower than their own data which was recorded through their SAM 2 signs located on the B1112. They suggest that the existing traffic levels on the B1112 are in fact up to twice that recorded on the ATCs, which is a notable difference. The Local Highway Authority do not hold any other historic traffic data on the B1112 Brandon Road to verify this and confirm that the use of an ATC was an industry standard method. They state that the SAM sign results (which primarily records vehicle speeds) may not be accurate and can double count some vehicles. Discussions have been held about Methwold Parish Council funding a further ATC but this has not been carried out to date.

The Local Highway Authority queries the accuracy of the figures, particularly given the previous variations and suggests that the submitted assessment may be an underestimate of the likely traffic generation. Whilst the review does not suggest an alternative figure, it does suggest percentage increases for HGVs for both the poultry and pig applications. While the proposed uplift may not be significant the Local Highway Authority question the justification of the figures provided by the Applicant to date and the changes to these during the application process.

Warren Road access

Concerns have been raised locally, in relation to the suitability of Warren Road to cater for the additional traffic, due to its width and the fact that it is used by vulnerable road users and the fact that it is proposed to be used by the nearby AD plant application as well. With regard to the proposed passing place improvements on Warren Road, if approved, the off-site works would be delivered by a Section 278 Agreement. The impact on both the ability to pass and vulnerable road users would be considered. The indicative scheme at present is considered suitable to mitigate the impacts of this development.

Also, third parties are concerned in relation to vehicles turning into Warren Road from the B1112 should another HGV be leaving the site. It should be noted however that the application is required to widen the access from the B1112 to cater for 2 large vehicles. At this stage the drawings shown are indicative, with the improvements subject to a S278 vetting process should the application be improved, which would dictate the greater radius/ further widening this would be provided.

Summary

While Suffolk County Council object to the application due to a lack of information, and potential impact on their road network, the Local Highway Authority conclude that they could not substantiate an objection to the proposals. The developments would increase traffic (including HGVs) to / from the site, however the likely increase in traffic is not considered to be material or lead to a significant increase in traffic or a severe highway concern. The Local Highway Authority requests however that the Applicant submits further information to address the additional clarification points requested both by this authority (namely traffic generation, the need for a stage 1 SA and further mitigation on the B1112 (school time speed restriction)), the report submitted on behalf of Cranswick Objection Group and Methwold Parish Council.

It can be concluded that the development proposed is in accordance with the NPPF, adopted Local Plan policies CS11, DM12 and DM15 and new Local Plan policies LP11, and LP13 and LP21. This is subject to compliance with proposed conditions attached to a planning consent. Additional information is sought from the Applicant and it would also be necessary to secure a clear traffic monitoring and management scheme for the site which would be enforceable by the authority.

Ecological impacts

Local Plan policy CS12 requires development proposals to 'protect and enhance our historic environment and landscape character, biodiversity and geodiversity will be encouraged and supported. Development should seek to avoid, mitigate or compensate for any adverse impacts on biodiversity, geodiversity and heritage as well as seeking to enhance sites through the creation of features of new biodiversity, geodiversity and heritage interest. The design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment.'

Policy DM19 requires that a levy is required to mitigate against the impact of residential development upon sites protected under the Conservation of Habitats and Species Regulations 2017 (as amended, including through the EU exit legislation) (known as the Habitats Regulations). The GIRAMS (Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy) seeks to mitigate against the in-combination effects of development on these designated areas. The avoidance and mitigation measures will be funded via developer contributions as part of planning permissions given for new development.

New Local Plan policy LP19 states that '2. The Council will conserve (and where appropriate enhance) County Wildlife Sites, Ancient Woodlands, and County Geodiversity Sites from development which damages their interest or significance unless the need for, and public benefits of the development outweigh the loss of interest or significance. 3. Development should, in line with the mitigation hierarchy, seek to avoid, and where this is not possible, with justification, mitigate or compensate for any adverse impacts on biodiversity, geodiversity and heritage, as well as seeking to enhance sites through the creation of features of new biodiversity interest.'

Policy LP27 of the new Local Plan states ‘Proposals for development must not adversely affect the integrity of European sites either alone, or in-combination with other plans and projects, unless the tests set out under the Conservation of Habitats and Species Regulations (2017) (as amended) are met.’ It goes on to require that a levy is necessary to mitigate against the impact of residential development upon sites protected under the Conservation of Habitats and Species Regulations 2017 (as amended, including through the EU exit legislation) (known as the Habitats Regulations). The GIRAMS (Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy) seeks to mitigate against the in-combination effects of development on these designated areas. The avoidance and mitigation measures will be funded via developer contributions as part of planning permissions given for new development.

The application could have potential significant effects on:

- Breckland Special Protection Area SPA
- Breckland Special Area of Conservation SAC
- Norfolk Valley Fens SAC
- Breckland Farmland SSSI
- Breckland Forest Site of Special Scientific Interest SSSI
- Cranwich Camp SSSI
- Foulden Common SSSI
- Gooderstone Warren SSSI
- Grime’s Graves SSSI
- RAF Lakenheath SSSI
- Stanford Training Area SSSI
- The Brinks, Northwold SSSI
- Wangford Warren & Carr SSSI
- Weeting Heath SSSI

The nearest of which is Breckland SPA to the east of the application site.

The NPPF requires in paragraph 187 that ‘decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.
b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality’

Shadow Habitats Regulations Assessments (sHRA)

Two shadow Habitats Regulations Assessments (sHRA) were submitted by the Applicant in October 2024; one addresses ammonia impacts and a second deals with all other aspects of potential impact. It is this latest version of these which is discussed in the report below. Prior to this there are two previous versions of this documentation submitted to the Council, and at each stage these were consulted upon in accordance with the Regulations.

The Applicants sHRA relating to ammonia impacts, progressed to an Appropriate Assessment, and concluded that the proposals would not adversely impact on the integrity of the Breckland SAC, Breckland SPA or Norfolk Valley Fen SAC. Furthermore, this Assessment suggests that the development would deliver significant betterment compared to the fallback position.

The non-ammonia sHRA confirmed that the only potential significant impacts would be from dust during construction and recreational disturbance in combination. These impacts were taken forward to Appropriate Assessment where measures to mitigate these impacts are detailed. With mitigation, the impacts could be reduced to a negligible level such as they would not impact the site integrity of the Breckland SPA or any other sites in isolation or in combination.

The Council's Habitats Regulations Assessments (HRA)

Given the complexity of the application, and the concerns raised by consultees such as Natural England at each stage of the process, the Council took the view it was necessary to carry out their own Habitats Regulations Assessment (HRA) rather than relying on the Applicant's information alone.

The Council's HRA conflicts with the Applicants sHRA and considers that there is insufficient evidence to conclude that the proposed developments will not cause adverse effects on the integrity of Breckland SAC, Norfolk Valley Fens SAC, and Breckland SPA.

The Conclusions of the Council's Habitats Regulations Assessment are as follows:

- There are critical gaps identified in the Non-Ammonia Shadow HRA concerning lighting and vermin control. However, these are considered unlikely to change the overall conclusion of the Non-Ammonia Shadow HRA, that the proposed developments will not have an adverse impact on the integrity of any designated sites relevant to HRA, noting that as below a different conclusion is drawn for impacts of nitrogen containing air pollutants.
- Both the proposed development and the asserted fallback position risk adverse effects on the integrity of the three designated sites in comparison to the current baseline. The discounting of the proposed development because the alleged effect of the fallback position would be worse, is not justified unless the fallback is the appropriate comparator rather than the current baseline. For this to be the case the fallback alternative would need to be close to certain to proceed in the absence of the proposed development.

- If the competent authority is near certain that the fallback alternative would go ahead in the absence of the proposed development, and therefore that the fallback alternative option presented by the Applicant is the appropriate comparator, then there is still a risk that the proposed developments will cause an adverse effect on the integrity Breckland SAC and Norfolk Valley Fens SAC and the HRA will need to proceed to the three derogation tests.

Other issues identified in the shadow Habitats Regulations Assessments (sHRA) review need to be addressed, and without this information there is also a risk that the proposed developments will cause an adverse effect on the integrity of Breckland SAC, Breckland SPA and Norfolk Valley Fens SAC and the HRA will need to proceed to the three derogation tests.

Legal advice confirms that for the purposes of the HRA the "project" which requires assessment is the one before members which should not be cut down by reference to an earlier or hypothetical consent or fallback position. Planning permission may only be granted if, based on objective evidence, there is no risk of significant effects or, if there is, that there is certainty that there will be no adverse effect on the integrity of the protected site. Members must be 'convinced' of such a conclusion. If members are not convinced then permission must be refused unless the derogation tests are met (see further below) in line with regulation 63(5) of the Conservation of Habitats and Species Regulations 2017.

Review of the Non-ammonia shadow Habitat Regulation Assessment (sHRA)

The Council's Ecologist considers the conclusions of the non-ammonia sHRA generally acceptable, although there are some areas of detail which require further clarity i.e. external lighting. The required details are outlined within the sHRA review. Natural England are of the view that it is possible to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question as a result of increased recreational pressure. This is providing that the appropriate sum towards the Norfolk Green Infrastructure and Recreational Disturbance Avoidance and Mitigation Strategy (GIRAMS) is appropriately secured in any planning permission given. While dust has been identified as potentially having an adverse effect on site integrity for the Breckland SPA at Methwold Warren (Breckland Forest SSSI) the mitigation measures to be secured via implementing a dust management plan, would be acceptable subject to an appropriate planning condition /obligation.

Review of the Ammonia shadow Habitat Regulation Assessment (sHRA)

The Council's Ecologist does however disagree with the conclusion of the Ammonia sHRA and considers the evidence provided is insufficient to conclude that there will be no adverse impact on the integrity of Breckland SAC, Breckland SPA and Norfolk Valley Fens SAC. The impact of air quality is not satisfactorily addressed by the mitigation proposed. The sHRA fails to assess two SAC features at Foulden Common SSSI which are considered to be present and known to be affected by air quality (according to the Norfolk Valley Fens SAC Site Improvement Plan (SIP)). Furthermore, the ammonia assessment shows that the process contributions (of the proposed

development) will exceed 1% of critical loads at all receptors for annual nitrogen, ammonia and acid deposition. Given that a likely significant effect as a result of the development cannot be screened out (for Breckland SAC, Breckland SPA or Norfolk Valley Fens SAC) these sites are therefore taken to Appropriate Assessment for further analysis. The sHRA comes to this screening conclusion and it is not contentious.

The sHRA makes the argument that ammonia is not a significant driver of the poor condition of SSSI Units of component sites. It states that the current ammonia baseline is (interpreted as) not affecting the integrity of sites which are under suitable management regimes. In the absence of management, process contributions may contribute to a decline in condition, but a decline would be evident irrespective of the process contribution levels.

However, air quality does not always form part of the condition assessment of SSSI Units and as such it is not possible to scope out air pollution as a contributing factor to the SSSI Unit condition based on its absence from the assessment of the Unit. It should also be noted that the age of condition assessments ranges from 2009-2021 which suggests the assessments are not necessarily reflective of the current condition of the SSSI Units being assessed. This argument therefore does not hold much weight as it is not strongly evidenced.

Furthermore, the data is presented as the `predicted percentage change in annual mean loads` only, rather than as the process contribution (PC) as a proportion of critical load (CL) (%) as recommended in guidance. (IAQM, June 2019: A guide to the assessment of air quality impacts on designated nature conservation sites) If the data was presented in this way it is likely to show that the majority of the relevant receptors are still above the 1% threshold. While it is recognised that the 1% value represents a screening level and is not necessarily indicative of an impact or significant effect, the sHRA has not dealt with the data any further or provided the necessary further assessment to discount an adverse impact.

Tests of derogation

In line with the Habitat Regulations, as the Appropriate Assessment identifies there will be likely significant effects of the proposal it is for the authority to move towards the next stage of the assessment, the tests of derogation. These tests are to consider if proposals that would have an adverse effect on a European site qualify for an exemption. To decide if the proposal qualifies for a derogation, the authority must apply the 3 legal tests in the following order:

- There are no feasible alternative solutions that would be less damaging or avoid damage to the site.
- The proposal needs to be carried out for imperative reasons of overriding public interest.
- The necessary compensatory measures can be secured.

However, the authority is unable to proceed to carry out these tests at this time. There is insufficient information submitted to enable the authority to determine the level of significant detrimental effects of the developments proposed. The authority also has

insufficient information to consider in full the ‘alternative solutions’ such as the fallback position for example. Without this information, it is not possible to balance these tests against whether there are reasons of overriding public interest for the scheme. Also, the authority is unable to assess whether there are any suitable compensatory measures which could be secured to address the significant effects. In conclusion the proposal fails to meet the tests of derogation.

The Applicant’s ‘Fallback’ position

The Appropriate Assessment of the sHRA heavily relies on the proposed application being a betterment on the ‘fallback’ position (as well as the use of ammonia scrubbers for mitigation). The ‘fallback’ is a theoretical baseline based on the maximum number of livestock that could be housed under the existing Environment Agency (EA) permit which is likely to include 29,358 pigs, as well as five slurry lagoons, and a manure heap. It includes the full implementation of the currently unimplemented parts of the permit.

The Applicant claims that the current usage is 7,500 pigs and relies on this figure to inform the ‘fallback’ position. However, there is no evidence within the current submission that confirms this number. The Ammonia sHRA has included data from the `fallback` scenario, though exactly what this comprises is not explicitly stated (the numbers are not consistent across project documentation). The livestock records would be required to confirm the validity of figures relied upon in the Applicant’s ammonia assessment. The Council are of the view that the Applicant has failed to adequately demonstrate their ‘fallback’ position, and therefore limited weight should be given to this.

The proposed development must be assessed against the current baseline i.e. existing installations/operation. Guidance on assessing a project baseline does not align with the approach taken by the Applicant in this instance. In any event, the legal position is that there can be no ‘discount’ for an existing or fallback use, it is the effect of the individual project that must be assessed.

The ‘fallback’ position also relies on the assumption that the full extent of the existing operation could be implemented without any additional planning consents (which may be required due to intensification), permits or major renovations to bring buildings into regulatory compliance. The latest EA consultee comments (January 2025) suggest that this is not the case ‘It is the opinion of the EA that many of the existing buildings and associated infrastructure on the Airfield and Feltwell farms would require more than general repairs to meet the standards of the current Best Available Techniques (BAT) conclusions (2017) for the intensive farming sector. The Applicant has acknowledged the limitations of the existing buildings in the document and pigs are currently only housed in some of the buildings. Photographs included in the ES show the poor condition of some of the buildings, with a lack of adequate insulation, waterproofing and structural integrity and as such they would require significant refurbishment to meet the energy efficiency standards.’ It is therefore not clear if the ‘fallback’ position is practically viable or a lawful use.

In addition, in the event that the ‘fallback’ position of 29,358 pigs was demonstrated to be possible and implemented at the site, this would likely be considered a ‘project’ in itself in respect to the Habitats Regulations. As such the Applicant would need to demonstrate that there is no likely adverse impact on habitats sites, as specified in the DTA Habitats Regulations Assessment Handbook. (This Handbook also refers to a ruling by the Court of Justice of the European Union on joined Cases C 293/17 and C 294/17 which has some relevance to this application.) Therefore, under the ‘fallback’ scenario the movement of pigs onto the proposed development site from another location would still be captured by the requirements of the Habitats Regulations and the potential for significant adverse impacts upon the integrity of Habitats Sites must undergo assessment.

Natural England’s response

Natural England has considered the information submitted by the Applicant (including the sHRA) and their comments are detailed in full above. They have commented throughout the application process, at each stage requesting further information to determine the impacts on designated sites.

Again, at this stage they require further information is submitted by the Applicant to enable the determination of the significance of these impacts and the scope for mitigation. Specifically, they now request detail regarding the ammonia assessment and the “fallback” position relied on in the application. Without this information, Natural England have stated that they ‘may need to object to the proposal’. As such they advise that the local planning authority should not grant planning permission at this stage.

The Applicant has relied on a ‘fallback’ scenario in their assessments which is a theoretical baseline, and as such Natural England state that the environmental impacts of the proposal cannot be assessed against a theoretical baseline. This would not take into account the current conditions under which the proposed development would be built and would not provide sufficient information to assess whether there will be an adverse effect on the integrity of the sites in question.

Natural England advise the actual baseline should be used in the assessment, i.e. the number of livestock currently housed across the proposal locations. In the Ammonia Assessment this is stated to be “3,000 pigs at Airfield Farm and 4,500 at Feltwell Farm”. The actual number of livestock (i.e. non-theoretical) that have been kept at both sites per year in recent years (a minimum of 5 years) should be explicitly stated in order to determine whether the existing livestock are contributing to the background emissions on the Air Pollution Information System (APIS) and the livestock numbers per year should be supported by sufficient evidence e.g. livestock records.

Protected species, BioDiversity Net Gain and Trees

The Applicant has submitted an ecology assessment, which informs the ES. In terms of the impact on birds of the SPA (the stone curlew, woodlark and nightjar) the submission states that impacts on breeding, disturbance and visual intrusion are negligible. Natural England have considered the external lighting proposed by the Applicant and based on the information submitted, agree that there will be no additional light spill into the SPA which could potentially impact Woodlark and Nightjar.

Great Crested Newts were absent in surveys undertaken and reptiles were scoped out due to the lack of suitable habitat. Bat roosts are absent. Brown hares are unlikely to be absent. No rare, scarce or noteworthy plants were recorded during surveys. In low numbers foraging bats, hedgehogs and invertebrates (moths) are likely to be present. The intrinsic value of the habitats to be lost are considered low. The loss of woody vegetation or disturbance from the access is considered of negligible significance. Mitigation would be required for nesting birds, avoiding work during nesting birds season (March to August) or otherwise under a watching brief. Soft landscaping is proposed to enhance the scheme and would provide habitats for local species.
While Biodiversity Net Gain is not a policy requirement of the scheme, given the application was submitted prior to the regulations, the Applicant quotes a Biodiversity Net Gain of 24.4% on site which is in excess of the 10% required.
A Tree Survey and Arboricultural Impact Assessment has been submitted as part of the application. The proposed development would result in the loss of six trees in total, four category C trees and two category B. No category A trees will be impacted. The Council's Arboricultural Officer has considered the proposal and has no objection, subject to conditions to secure tree protection and conditions to secure appropriate hard and soft landscaping on the site.

Summary

The application sites are located within close proximity to a number of European protected sites. The information submitted to date fails to demonstrate to the authority that the proposals would not result in significant adverse effects on these protected sites. These issues are identified in the review of the Environmental Statement and in the Council's Habitats Regulations Assessments, and the concerns are shared by Natural England and the (Council's) Ecologist's who have objected to the application in its current form. The application is contrary to the NPPF paragraphs 193 to 195, Local Plan policy CS12 and new Local Plan policies LP19 and LP27.

Climate Change and Sustainability

Climate Change

Local Plan policy CS08 reinforces the need to 'promote and encourage opportunities to achieve high standards of sustainability and energy efficiency'. New Local Plan policy LP18 also reinforces this approach. New Local Plan policy LP6 specifically addresses climate change. This policy seeks to minimise and reduce carbon emissions, and to adapt and mitigate the impacts of climate change and includes many points relevant to the application which are discussed elsewhere within this report (such as sustainable travel, minimising pollution, resilience to climate change and flood risk, air pollution, water efficiency etc). The policy also refers to the need for Applicants to submit a sustainability and climate change statement for planning applications of 1ha in size or more. The NPPF in chapter 14 highlights the need for the planning system to meet the challenge of climate change.

Natural England advocate that decision-makers should ensure their decisions, are consistent with, and contribute to, achieving the UK's net zero target including the evaluation of climate change impacts on the natural environment of GHG producing

developments and their activities, and the implications of failing to do so. This is in line with the aims of the UK government and the Climate Change Act 2008.

Objectors to the proposed development refer to the failure to adhere to the legal obligations in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('EIA regulations 2017'). This is specifically with regard to scoping out 'climate'. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ("the 2017 Regulations") provide that, prior to planning permission being granted for certain projects, a developer must produce an EIA which describes and assesses the likely "*direct and indirect significant effects*" of the project on the environment.

In June 2024, the UK Supreme Court held in a landmark decision (R *Finch* v Surrey County Council [2024] UKSC 20 ('*Finch*')) that Surrey County Council's decision to grant planning permission to a developer for an oil well was unlawful because the environmental impact assessment ("EIA") for the project did not include an assessment of the downstream greenhouse gas ("GHG**"**) emissions.

The key points from the judgement include:

- **Causation and effect**: downstream GHG emissions ..are an inevitable and direct consequence of the project. The EIA Directive requires assessment of "*direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project*".
- **Methodology and scope**: it is possible to estimate the amount of downstream GHG emissions resulting from the combustion of the extracted oil using established methodologies. This estimate should have been included in the EIA to provide a complete picture of the environmental impact of the project.
- **Geographical scope**: the Court rejected the notion that the EIA should be limited to emissions occurring at the project's site. The EIA Directive does not impose geographical limits on the assessment of environmental effects. The impact of GHG emissions on the global climate does not depend on the location of their release.
- **Refining process and causal connection**: the Court addressed the argument that refining the crude oil at separate facilities breaks the causal chain between the extraction and combustion of the oil. It concluded that the refining process does not alter the essential nature or intended use of the crude oil. The final combustion of the refined product remains a foreseeable consequence of the extraction project and falls within the scope of the EIA. This may not be the case for other commodities such as steel which can be put to many possible uses, and it may be considered that no meaningful assessment can be made of the emissions ultimately resulting from its use.
- **Policy considerations**: the Court noted that while national policy encourages domestic oil and gas production, this policy does not exempt projects from complying with environmental assessment requirements. The EIA is intended to ensure that decisions are made with a full understanding of their environmental impact, which includes downstream GHG emissions.

While emissions and other environmental effects from a farm are not the same as an oil well, the ***Finch*** decision has clear implications for this application.

The Council has sought legal advice for members on this matter. In addition, WWF have obtained a KC's opinion on the legal implications of ***Finch*** for this development which is available on the planning portal. The Applicant has obtained its own legal opinion from the law firm Freeths which is also on the planning portal.

Climate change was originally scoped out of the Environmental Statement (ES) prior to the Supreme Court's judgment in ***Finch***. The Council sent a request to the Applicant for additional information (under Regulation 25) on 14 June 2024, shortly before the Supreme Court handed down its judgment in ***Finch***. This request for information did not refer to emissions.

The judgment in ***Finch*** confirmed that, contrary to the previously understood legal position, indirect emissions that are quantifiable and inevitable must be included within an Environmental Statement (in that case the burning of the oil).

It is accepted that the Council has not submitted a further regulation 25 request in light of the ***Finch*** judgement, however it is considered that the law is now clearly set out and the Applicant has had a fair opportunity to address the judgement in ***Finch*** by submitting further information. Indeed, the Applicant's Environmental Statement (updated October 2024) states that it has been "prepared with consideration of the landmark Supreme Court Judgment in R (*Finch*) v Surrey County Council [2024] UKSC 20, issued on 20th June 2024." The Applicant has also had sight of, and been able to address, the concerns of objectors regarding ***Finch***.

There is no set way in law to assess emissions. There is room for reasonable disagreement about whether all of the upstream and downstream emissions put forward by objectors can actually be quantified. The Applicant is correct to say that ***Finch*** is clear that if emissions are unquantifiable they do not need to be assessed. However, ***Finch*** is also clear that inevitable, quantifiable emissions do need to be assessed. There can be no doubt that at least some of the upstream and downstream emissions from this project are quantifiable and have not been assessed in terms of this individual proposal. WWF have sought to provide information within their representation that seeks to demonstrate that this is the case.

While the information has not been requested by the Council, the Applicant has been given fair notice of the arguments from objectors that it should carry out such an assessment and it has not elected to do so. Instead, the Applicant has only provided general information about the carbon footprint of its wider farming business. As such this does not amount to a lawful assessment of emissions post-***Finch*** (or alternatively an adequate explanation as to why the indirect effects of this proposal would not be quantifiable). The EIA Regulations are very clear that the impacts of the specific project itself must be assessed.

In addition to simply carbon emissions, the Court of Appeal held in R. (*Squire*) v Shropshire Council [2019] EWCA Civ 888 that an environmental statement would be legally deficient if it failed to assess the wider impacts of the storage and spreading of

effluent from an intensive poultry rearing facility. The Applicant accepts that the *Squire* case applies here but says it does not know exactly where the effluent will go and therefore cannot assess spreading impacts. This does not appear to be a legally permissible approach as there is no suggestion that the Applicant is incapable of producing a plan or mechanism that would provide sufficient certainty.

While it is correct that many of the processes under discussion will be managed by separate permits, that does not mean they do not need to be adequately assessed for the purposes of EIA.

The Applicant has provided information which states that it is committed to reducing its carbon footprint and is doing better than competitors. It is legally irrelevant for these purposes that the Applicant may be doing better than its competitors (although this may, separately, be a material consideration weighing in favour of granting consent).

The Applicant suggests that the pork and poultry from this project will substitute imported pork and poultry and this will have a beneficial effect on emissions. The objectors argue that the business-wide approach to calculating emissions fails to satisfy the legal obligations and it is not sufficient to rely on the fact that the pig and poultry products will reduce the amount imported. That may or may not be correct, but it would be a legal error to give the Applicant's assertions regarding substitution any weight in these circumstances as no information is provided about the degree of substitution, how it has been calculated and whether the imported products can find a market elsewhere. Reliance on this kind of assertion was found to be a legal error in the context of imported coal in R (Friends of the Earth and ors) v SSLUHC [2024] EWHC 2359.

Objectors state that not only should the Applicant have calculated the total carbon emissions of the site/ business as a whole, but also the cumulative effects of the farms alongside other development as there are a large number of existing pig and poultry farms within the borough. Members may consider that a cumulative assessment with other farms would have been beneficial but this is not a legal requirement (R (Boswell) v SST [2024] EWHC 1572).

The WWF are of the view that the farms would have a significant effect on the climate and have undertaken an analysis showing that it is possible for the Applicant to quantify likely emissions of the farms. They also refer to the impact soya-based animal feed has on the environment and climate, and the statements made by the Applicant in relation to the measures in place ensure their animal feed is deforestation free and conversion free are not effective.

Overall, in light of the deficiencies in the environmental information submitted so far, there is a significant legal risk to the Council associated with granting planning permission. Members should be aware that the failure to adequately consider this issue undermines the ability of the authority to make a decision in light of the requisite 'full knowledge of the environmental cost' of the project (pre Lord Leggatt in *Finch* paragraph 3).

Sustainability

'The purpose of the planning system is to contribute to the achievement of sustainable development' as stated in paragraph 7 of the NPPF, and sustainability runs throughout the matters for consideration for this planning application. Specifically, adopted Local Plan policy CS08 sought to deliver 'sustainable development'. New Local Plan policy LP18 continues this approach. New Local Plan policy LP6 (Climate Change) goes further and requires Applicants to submit a Sustainability and Climate Change Statement for planning applications of 1ha in size or more. The Statements would respond to six questions and demonstrate how new development is addressing such beneficial aspects. Given this application was submitted in 2022, this application was not required to submit this Statement at the time of validation.

Third party comments to this application state that without this Statement the application fails to comply with the adopted Local Plan. However, given that the Local Plan Inspectors Report was only received on 21 February 2025, and the Plan adopted late March it is considered unreasonable to refuse this planning application on the grounds that the application, which has been in the process for three years, has failed to supply such a Statement.

Air Quality and Contamination

Local Plan policy CS08 requires that new development should demonstrate its ability to promote and encourage opportunities to achieve high standards of sustainability and energy efficiency, measures should include: construction techniques, layout, orientation, internal design and appropriate insulation maximised to improve efficiency; innovative use of re-used or recycled materials of local and traditional materials to decrease waste and maintain local character; reduction of on-site emissions by generation of cleaner energy;….

New Local Plan policy LP18 requires that 'new development should demonstrate its ability to promote and encourage opportunities to achieve high standards of sustainability and energy efficiency…'

Paragraph 198 of the NPPF states that 'decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

199. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account … the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.'

Air Quality

Legislation, statutory guidance and case law show that emissions from a prescribed activity would be controlled through the permitting process and therefore would not be controlled through the planning process. This approach is set out under paragraph 201 of the National Planning Policy Framework, which states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

It is important to highlight that the site will require an Environmental Permit which would be issued by the Environment Agency. There is a current Environmental Permit for production pigs, breeding pigs and piglets across Airfield Farm, Feltwell Farm and Methwold Farm. The scope of an Environmental Permit is detailed in the report above. An application for the permit has been submitted and is currently being considered.

As part of the technical assessment of the permit application, the EA will consider the general operational management of the proposed facility; control measures for odour, noise, pests; efficient use of raw materials, water and energy; potential impacts of emissions on designated conservation sites and human health; and the handling and storage of residual wastes from the process (e.g. wash-water, slurry, manure/litter).

There are some differences in the information submitted under the revised Environmental Statement (ES) and what the Applicant submitted as part of the permit application. These changes have the potential to impact on the emissions from the site and will require revised air quality modelling to be submitted as part of the permit variation application to the Environment Agency (EA). Additionally, the Applicant has submitted a revised drainage strategy as part of their updated ES. This document should also be submitted to the EA as part of the permit application. All revised information or data changes from the permit application should be submitted to the Environment Agency's National Permitting Services without delay for their regard as part of the permit determination.

A significant number of objections have been raised from third parties regarding the potential impacts of the proposed scheme on air quality within the locality, in terms of odour, dust, vehicle emissions as well as emissions from the livestock.

The Environmental Quality team has reviewed the impact of air quality emissions such as Nitrogen Dioxide and Particulates from the poultry and pig units as part of the Environmental Permit application. There would also be emissions from transport associated with the new development, as well as dusts from the demolition and construction and these have also been reviewed.

In terms of the impact of vehicle movements, these levels are substantially less than the IAQM Planning for Air Quality thresholds and would not require an air quality assessment. The predicted change in air quality, especially when based on good existing background (PM10 12.5µg/m3, NO2 6.7µg/m3) would be significantly less than the air quality objectives. The dusts from the demolition works were assessed as potentially greatest, equivalent to an IAQM medium human health risk rating as opposed to minor being reported. For medium risk activities the IAQM guidance recommends air quality monitoring to help prevent unacceptable impacts, and therefore if consent was granted conditions should be attached.

However, in terms of air quality the Environmental Quality team have no objection to the development proposed, subject to a condition to secure the HGV haul routes, in accordance with Transport Statement by Canham Consulting (October 2024) showing the routes of livestock and if this condition can be enforceable.

Contaminated Land

The site is agricultural and has been used for poultry and pigs and as a former RAF airfield in the past. The site is now vacant aside from existing agricultural buildings. Information submitted by the Applicant and referred to within chapter 9 of the ES addresses 'Ground conditions and contamination' which reviews documentary information and the results of a walkover survey. It also provides a risk assessment and assessment of the significance of the identified risks. The document identifies potential receptors as groundwater, farm workers, construction workers, off-site residential and the SSSI/SPA (50m to the east). Groundwater is reported to be the principal receptor when considering ground contamination, human health and surface water (ditches/drains) are identified as medium sensitivity and all other receptors are reported as low sensitivity.

Recommendations are included for 'Embedded' Mitigation through design and management to reduce risk to an acceptable level; including an Asbestos survey and removal, Pre-demolition hazardous materials survey, Muck pad cleaning & decommissioning, Construction Environmental Management Plan, Further site investigation of ground and water and if required a Remediation Strategy.

The Environmental Quality Team are of the view that based on the information provided the proposed use can be made acceptable subject to the implementation of the mitigation proposals. These would need to be secured by conditions if consent were to be granted, alongside conditions for site clearance and ground contamination investigative works. The application is in accordance with the NPPF, and Local Plan policy CS08 and new Local Plan policy LP18, subject to the necessary planning conditions.

Neighbour amenity

Local Plan policy CS08 requires new development to demonstrate its ability to: '... enrich the attraction of the borough as an exceptional place to live, work and visit; enhance community wellbeing by being accessible, inclusive, locally distinctive, safe and by promoting healthy lifestyles; achieve high standards of sustainable design.'

Local Plan policy DM15 states that ‘development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:

- Overlooking, overbearing, overshadowing;
- Noise; Odour;
- Air quality;
- Light pollution;
- Contamination;
- Water quality

Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.’

New Local Plan policies LP07 and LP21 largely reinforce this approach. New policy LP21 goes further to state ‘Proposals for development adjacent to, or in the vicinity of, existing uses will need to demonstrate that both the ongoing use of the neighbouring site is not compromised, and that the amenity of occupiers of the new development will be satisfactory with the ongoing normal use of the neighbouring site, taking account of the criteria above.’

Paragraph 135 of the NPPF states that decisions ..’should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; ….f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; …’

The closest dwellings are approximately 200m to the west of the site, and the development proposes the construction for four new dwellings on the site. The development proposed would not give rise to overlooking, overshadowing or appear overbearing given the distance between the dwellings and poultry units (and associated structures) and the site layout.

A significant number of objections have been received which refer to concerns over the impact of the development on the residential amenity of local residents, but also local businesses (commercial and agricultural). These issues raised have been summarised earlier in the report but the main points include odour, pollution, air quality, noise and disturbance, contamination, light pollution and drainage.

The Councils Community Safety and Neighbour Nuisance Team has assessed the application and accompanying ES in full. In summary, there is not an objection to the application subject to a series of detailed conditions which are proposed to minimise the potential impacts on local residents in relation to environmental nuisance and amenity issues (if the planning application is to be approved).

As stated above, the application (and application 22/00866/FM) will require an Environmental Permit, and as such the Permit will include controls to manage and monitor the operations on the site. However, it is requested by CSNN that planning conditions for operational issues at the site are included. These would enable the Council to cover scenarios such as the finalised site outline (or that on future variation applications) of the Environmental Permit not matching the site outline of the planning consent (in order to avoid areas of the pig and poultry sites and the access road not being covered by either Environmental Permit or planning controls). Additionally, there may be periods where the site is under-utilised, and the permit may not be enforceable if the numbers of pigs and chickens fall below the Environmental Permit thresholds. There is also the potential for activities to occur on-site that fall outside of the remit of the Environmental Permitting regime.

The planning conditions are necessary because the reality of the impacts may not match the predictions in the Environmental Statement, particularly if the anticipated impacts are reliant on mitigation measures or management controls which could fail for a wide range of reasons. The conditions proposed are considered to meet the 6 tests by being necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects (paragraph 55 of the NPPF).

Pig and poultry numbers conditions for both applications

The livestock numbers referred to in the submission should be limited to those detailed (i.e. up to 14,000 pigs and up to 714,000 chickens). This is because the modelling for assessment of potential impacts has been based on these numbers. The Environmental Permit application form submitted to the Environment Agency was for up to 870,000 chickens. It is not clear whether this has subsequently been amended but consideration should be given to the potential enforcement implications if the numbers approved by planning and the permitting regimes do not match.

It is relevant to condition the maximum numbers of pigs and chickens per house i.e. up to 1,000 pigs per house (there are 14 houses in total) and up to 35,700 birds per house (there are 20 houses in total). This is because of the potential for increased impacts of noise, odour and pests if more animals are placed into fewer houses (e.g. if some of the other buildings became damaged or if it was seen as a cost-saving opportunity).

Consideration would also need to be given to a condition to prevent the site from being sub-divided into multiple smaller operations where the numbers of animals per site could fall below the Environmental Permit threshold numbers.

Noise and vibration

The Council's CSNN team appointed a noise consultant to review the updated noise and vibration information submitted by the Applicant in October 2024.

The review raised uncertainties regarding the effects of certain noise types at certain locations. If the application is to be approved a condition is required to protect the

residents of properties at Clopton Cottages from an adverse impact from noise. The condition requires mitigation measures (if required) prior to the commencement of use. It is also necessary to protect the residents of the proposed farm managers' dwellings (including amenity areas) as much as is reasonably possible from the impacts of noise and if consent were to be granted the condition would requires a noise insulation scheme.

It is also recommended that the predicted lack of tonality of the fans may not be representative in real-life scenarios if they have been incorrectly specified or installed, and therefore a condition would be required to clarify this.

Construction phase (with particular regard to noise, vibration and dust)

During the construction phase it is necessary to control any potential adverse impacts from amenity issues such as noise, vibration and dust. Given the limited information available at this stage a condition would be necessary to secure a full noise and vibration assessment for demolition and construction noise, prior to commencement. Construction site hours would also need to be conditioned. A Construction Environmental Management Plan would also be required (via condition) prior to the commencement of development to provide a timetable for works, full details of construction techniques, machinery to be used, contractor compound and parking, materials and waste storage areas, full details of mitigation methods, and complaint and communication handling.

Traffic management

A condition would be required to ensure that the HGV routing plan proposed in the application is adhered to. There is a concern as to how such a condition could be monitored or enforced. In addition, the proposed route is complicated by factors such as different sections being under different ownership and the potential for part of the route to also be used by HGVs travelling to/from the neighbouring anaerobic digester plant (currently the subject of a Norfolk County Council planning application reference FUL/2021/0013).

It would be necessary for there to be a Traffic Management Plan (for operational and construction traffic) to cover a range of issues such as timings of deliveries, vehicle numbers and types, requirements for certain types of loads to be covered, instructions provided to the operator's own drivers and contractors etc.

The CSNN Team would be a consultee in the discharge of condition application and it is highly likely that there would be an objection to a proposal for construction traffic to access the site via B1112 Brandon Road. This would bring construction traffic in extremely close proximity to Hangar Bungalow, which is on the access road between B1112 Brandon Road and the site. Therefore, the Applicant should be aware at this stage that alternative plans for construction traffic would be required (i.e. via B1112 Lodge Road).

Disposal of Waste - Manure/slurry/used chicken litter

In the Applicants Environmental Statement the pig manure and slurry has not been classed as waste due to its nutrient content and potential use as a fertiliser. As a result, little information has been provided about manure and slurry. However, manure and slurry should not be classified as waste when they are spread as fertiliser in a manner that exceeds the nutrient requirements of the land. The recent decision in the case of NFU v Herefordshire County Council (10 March 2025) reinforces this point. Used chicken litter has been classed as waste.

The Applicant states that the used chicken litter would be transferred to Thetford Power Station although objectors query whether this would be the case. The destination of the manure and slurry is not known. Therefore, it is not possible to predict whether there would be an adverse impact on local residents from manure or slurry once it has left the site. If the manure or slurry is spread or injected into fields surrounding the proposed pig and poultry units it may result in issues that are not under the control of the Environmental Permit and it may not to be possible to control the impact via the planning regime.

From a neighbour amenity point of view, there may be complications in establishing whether each complaint received was about the odour from manure/slurry stored on site versus odour from manure spreading or slurry injection. Odour from the stored manure/slurry would need to be primarily investigated by the Environment Agency and odour from the spreading or injection of manure or slurry would be investigated by the Local Authority as a potential statutory nuisance. CSNN considers it necessary that a mechanism is required to ensure that manure and slurry are not spread or injected in close enough proximity to the site.

This issue has been discussed and addressed in full in the Environmental Statement section of the report (above). It is also important to relate this back to the ecological concerns raised earlier in the report because the destination of the manure and slurry could result in the potential adverse impact of the development on protected sites. For example, if the waste was sold to an adjacent farmer who then overspreads the manure on the fields this could result in excess nutrients seeping into the watercourses which would also impact upon the protected sites.

There is no information about contingency measures relating to what would happen if the pig manure, slurry, or used chicken litter is unable to leave the sites due to issues such as vehicle or machinery breakdown or the destination sites being at capacity. In this case and if Members were minded to grant consent, from a neighbour amenity stance a condition would be required to secure a detailed waste management plan for the site.

Operational site hours & Management Plans

Due to the nature of the proposal, it would not be practical or reasonable to impose a condition for overall operational site hours. It would be a 24/7 facility with certain activities that may need to take place at unsociable hours and with some machinery in constant operation.

Robust management of both sites would be required to minimise and control the impacts of noise and vibration, odour, dust and pests on the amenity of local residents. While the operation of the sites would be subject to an Environmental Permit (which will be enforced by the Environment Agency) planning conditions are still required to ensure that local residents could be protected from all potential issues. This is due to uncertainty over the exact site boundaries of the permit (which is yet to be approved), the need to ensure that all areas and all activities on site could be covered by controls, and that controls would be in place should the site ever operate with numbers below the threshold for the permit to be enforceable.

The Operational Management Plan would include noise and vibration, odour, dust and pests.

Foul drainage

The general proposals regarding foul water drainage provision for the new managers' dwellings and the office/welfare/washroom facilities in the pig and poultry units have been submitted, and CSNN consider these are acceptable however finalised details of these would be required prior to the commencement of development and could be secured via condition.

Lighting

External lighting details have not been submitted. It is anticipated external lighting would be necessary for safety and operational reasons and as such a lighting condition would be necessary in order to protect the amenity of residents at nearby properties.

Summary

In summary, a significant number of objections have been received by the third party representations and the Parish Councils, and the impact of the development proposed on neighbour amenity has been carefully assessed. The CSNN team do not object to the development as proposed subject to a series of detailed conditions. While the Environmental Permit would control many aspects of the development, this is not the case for all sources of potential noise, disturbance and pollution. The CSNN officer has also made a case that there are circumstances where some operations may not fall within the remit of the Permit. Therefore, based on the information submitted to date, and subject to the proposed conditions recommended above, the application is in accordance with Local Plan policies CS08 and DM15 and new Local Plan policies LP07 and LP21, and the NPPF.

Form and character

The application site is located on the former RAF Methwold site and consists of agricultural land known as 'Methwold Farm'. There is an existing Environment Agency permit for 1,360 sows at Methwold Farm (with associated young/ offspring). The site includes a number of existing agricultural buildings which were originally used for

poultry and later for pigs, however there are no livestock on this site at the current time.

Policy CS06 of the adopted Local Plan requires development to maintain the local character and to protect the countryside for its intrinsic character and beauty. Policy CS08 echoes this. Policy CS12 requires 'Proposals for development will be informed by and seek opportunities to reinforce the distinctive character areas and potential habitat creation areas identified in the King's Lynn and West Norfolk Landscape Character Assessment.

Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area, ...'

Policy LP18 of the new Local Plan requires new development to be of a high quality, to respond to the local character and to protect the landscape. Policy LP19 requires 'Proposals for development will be informed by and seek opportunities to reinforce the distinctive character areas and potential habitat creation areas identified in the King's Lynn and West Norfolk Landscape Character Assessment…
Development should, in line with the mitigation hierarchy, seek to avoid, and where this is not possible, with justification, mitigate or compensate for any adverse impacts on biodiversity, geodiversity and heritage, as well as seeking to enhance sites through the creation of features of new biodiversity interest.'

Policies CS08 and DM15 of the adopted Local Plan, policies LP18 and LP21 of the new Local Plan and the NPPF in Section 12, require that development is of a high quality design, of an appropriate scale, massing, materials and layout which responds sympathetically to the local setting.

Proposal

The layout and design of the development as proposed is utilitarian, reflecting the proposed function and the operations on site. As such the Applicant argues there is limited opportunity to amend these. The Applicant states that the colours of buildings and structures proposed can be conditioned to ensure they reflect the rural locality of the site, minimising the visual impacts.

Landscape Character

The Councils Landscape Character Assessment states that the site falls within H5 'Settled farmland with plantations - Northwold'. This is a medium scale landscape which is a transition between the low lying Fens to the west and The Brecks. This flat to very gently undulating landscape encompasses a number of villages, large farms and estates, set within a backdrop of farmland and plantation woodland. The fields are mainly regular in shape, medium sized and generally lined with hedges. Views across the area are strongly influenced by the plantations, tree belts and copses with several locations in the west of the area offering wide, open views with huge skies. Roads crossing the land are mostly rural, tranquil and occasionally lined with species-rich

hedges, channelling views and creating a sense of enclosure in places. The application site itself does not include any designated landscapes or features.

As part of the application, the Applicant has submitted a Landscape and Visual Assessment which concludes a 'medium' landscape value for the site, within its context. The proposed development includes a landscaping scheme for the site which includes new native woodland, tree and hedgerow planting. This is in addition to that existing. The Applicant states that the impact of the proposed development on the landscape would be limited and localised, with few visual receptors. The most significant visual impact would be for those existing dwellings to the west of the site. That said there are existing buildings on site, and the development would be viewed within the context of the Biogas facility and existing pig units, as well as the planting and trees which breaks up views across the site. Other viewpoints would be from existing PROWs, and distant views from roads and some residences. In summary the Applicant states that the development would only give rise to limited and localised visual effects, and therefore these are not significant, with additional planting beneficial to the locality.

Objections have been received from third partes regarding the nature and scale of the proposed development, and the fact that this would resemble a large scale commercial enterprise rather than an agricultural use. As such this would be at odds with the Landscape Character Assessment guidance to seek to conserve the tranquil character. These concerns are acknowledged and it is for Members to take the view as to the degree of impact the development would have on the local landscape. The officer recommendation is that the impact would be measured with limited views of the site. This coupled with the fact that there are already large scale agricultural buildings on the site, and that additional planting is proposed.

The Landscape Character Assessment provides guidance for landscape planning within this landscape type. The Assessment states that development should seek to conserve and enhance the existing belts and copses of plantation woodland; seek to conserve the mostly rural character of the area; ensure that any new appropriate development responds to historic settlement pattern and is well integrated into the surrounding landscape; and seek to conserve the largely undisturbed and tranquil nature of the area. The development does conserve the tree belts and copses and enhances these with additional planting. The proposed development is agricultural development, reflecting the rural character and to some degree given the locations of the existing farms and farm buildings, the use of the land is already well integrated into the landscape. In terms of the tranquil nature of the area, this will be impacted upon by the scale of development proposed.

It is not considered that the impact on visual amenity would be sufficient as to warrant the refusal of the application. While the buildings proposed are substantial they are utilitarian and as such are not alien within the wider area, with other examples of large scale agricultural and commercial buildings in the countryside. This is not a protected landscape area and it is recommended therefore that the development proposed is largely considered acceptable and in accordance with the NPPF and Local Plan policies CS06, CS08 and CS12 and new Local Plan policies LP18, LP19 and LP21.

Drainage and Flood risk

Local Plan policy CS08, new Local Plan policy LP25 and paragraph 173 of the NPPF require that development avoids areas at risk of flooding. Development should not result in an increased flood risk elsewhere.

The application site lies primarily within flood zone 1, with small patches within the site subject to surface water flooding. There is also an identified area at risk of groundwater flooding. A site-specific flood risk assessment has been submitted to accompany the application, in accordance with paragraph 175 of the NPPF. The flood risk assessment forms an appendix to the Environmental Statement.

The Flood Risk Assessment concludes that the site is at low risk from most forms of flooding. Where there are risks these have/ can be mitigated against adequately. The development proposed would not result in flooding off-site as a result, and the Applicant is of the view that the information submitted demonstrates that the site can safely dispose of all forms of waste water with a low risk of contamination entering the ground. The drainage strategy submitted follows the drainage hierarchy with the proposed strategy to re-use water where possible and then to use infiltration methods.

Drainage proposals

The Applicant proposes that the surface water run-off from the roof areas would be discharged via deep infiltration. This is acceptable, provided the Applicant can confirm that none of the infiltration basins and soakaways would be installed in areas of contaminated ground, and that the downpipes and other infrastructure would be sealed to prevent contamination entering.

The Applicant states that the runoff from the areas of hard-standing is understood to be potentially contaminated and filter strips/drains have been included in the design in order to treat the runoff prior to being discharged to the infiltration basins. This is acceptable subject to consideration being given to the potential for oil contamination and the Applicant may consider including appropriated oil treatment measures.

The Applicant goes on to state that rainwater would be re-used. This would be treated to enable reuse in the poultry sheds. Also, the new access track would drain to a swale (to the south of the road) from where it would be pumped into the main surface water network. These methods are acceptable.

In terms of foul drainage, the Applicant states that no effluent is produced by the heat exchangers. Dirty water from washdowns would be collected and stored in a below ground tank prior to being disposed of in accordance with DEFRA guidance. Foul water from the dwellings, washrooms/ offices would go into private sewerage treatment plants and discharge via infiltration into a drainage field.

Groundwater and Contaminated Land

The Environment Agency (EA) have clarified that the sites are underlain by Bedrock of Chalk – Holywell Nodular Chalk Formation and New Pit Chalk Formation

(undifferentiated) with no superficial deposits. This is designed as a Principal aquifer and several potentially contaminative former land uses have been identified. The EA has stated that subject to the inclusion of the recommended planning conditions, planning permission could be granted for the proposed development. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and the EA would object to the application. The conditions proposed are to secure a suitable surface water disposal scheme. Also, that any piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority.

The EA are in agreement with the recommendations set out in the Ground Conditions Desk Study Report submitted by the Applicant. This requires an intrusive investigation at the site in order to assess the extent of contamination and the potential risks to groundwater. As the drainage strategy intends to utilize infiltration drainage, sampling should be carried out in the intended infiltration locations.

In summary, in terms of flood risk and drainage, subject to specific conditions the proposal is in line with the NPPF, Local Plan policies CS08 and DM15 and new Local Plan policies LP21 and LP25.

Heritage Assets

Local Plan policy CS12 requires that 'development should seek to avoid, mitigate or compensate for any adverse impacts on … heritage.' New Local Plan policy LP20 requires that 'The historic environment will be conserved and enhanced in a manner appropriate to its significance.'

The NPPF in paragraph 202 states that 'Heritage assets range from sites and buildings of local historic value to those of the highest significance... These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations '. Paragraph 205 goes on to state that 'Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to: a) assess the significance of heritage assets and the contribution they make to their environment; and b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.'

There are no designated heritage assets on the site, the nearest being Methwold Conservation Area some 1.5km to the north of the site. The proposed development site lies within the World War Two Methwold Airfield, and the 1946 aerial photograph suggests the presence of possibly bomb stores within the development area. In addition, there is the site of a possible Bronze Age burial mound (now flattened) shown on historic mapping in the southern part of the development area. In addition, an area of late Neolithic or Early Bronze Age activity was excavated in 2006 a short distance to the southeast.

Consequently, there is potential that heritage assets (non-designated) with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. The Norfolk Historic Environment Service has requested that if planning permission were to be granted, conditions should be attached to the consent to secure a programme of archaeological mitigatory work in accordance with National Planning Policy Framework.

The application proposed is in accordance with the NPPF, Local Plan policy CS12 and new Local Plan policy LP20, subject to any planning consent including conditions to secure archaeological works.

Water Extraction

Objectors have raised concerns over water abstraction for the development. They argue that insufficient information has been provided regarding the amount of water to be extracted / used every day and the subsequent impact this would have on local residents. Utilities (including fresh/ drinking water and foul water) were scoped out of the EIA process, as were not considered to have significant environmental effects. It should be noted that water extraction and discharge is subject to its own regulation and monitoring regimes by the Environment Agency. The Environment Agency have not raised this as a concern in their consultation response. The NPPF advises that these regimes should be assumed to operate effectively. Members are therefore entitled to rely on these regimes. Overall while these concerns can be taken into account by Members in the planning balance, it is for Members to consider the weight to attach to water extraction and discharge in the determination of the planning application.

Any other material considerations

Section 70(2)(c) of the Town and Country Planning Act 1990 states **'**In dealing with an application for planning permission the authority shall have regard to…any other material considerations.' A material planning consideration is one which is relevant to making the planning decision in question.

The following issues have been raised as 'material'.

Animal Welfare

A significant number of third party objections have raised concerns about the proposed development in terms of the welfare of the animals to move through this facility. Concerns are raised regarding the scale of the development and the ability of the operators to run this to the required welfare standards. They query the skills of the employees on the site, and the monitoring mechanisms to be used to manage the animals on site. They state that there is a strong disconnect between welfare laws and enforcement in the UK. The objections raise the lack of natural light in the sheds and the scale of the scheme leading to a high risk of disease, virus and bacteria spread amongst livestock.

The Applicant has stated in their application that the livestock will be to high animal welfare standards, with 24/7 staff on hand to support the animals.

Objectors have drawn attention to case law examples where animal welfare was considered a material planning consideration in the determination of planning applications. However, it should be noted that animal welfare is also subject to its own regulation and monitoring regimes. The NPPF advises that these regimes should be assumed to operate effectively. Members are therefore entitled to rely on these regimes. Overall while animal welfare concerns can be taken into account by Members in the planning balance, it is for Members to consider the weight to attach to animal welfare in the determination of the planning application.

Need for the development

The Parish Councils and third-party objectors question the need for the development, and particularly in this location. They state that the application fails to address why the expansion of the factory is needed, and that without justification or need, given the adverse impact on landscape and wildlife, the application is unsupportable.

Figures are provided by the Parish Council to evidence the proportion of the population which are vegan/ vegetarian/ pescatarian, and to state that there is no shortage of meats in the shops. If for an overseas market, the development should be located close to the need. They refer to the amount of wasted meat nationally, which contributes as much greenhouse gas emissions as 290,000 cars a year, according to anti-waste charity Wrap (2015).

While the Applicant is not required by planning policy to demonstrate a need for the development, they do within their Planning Statement refer to the high demands for chicken in the UK which continues to grow. This is alongside UK retailers / operators requiring the Better Chicken Commitment which requires a reduction in stocking density. The Applicant states that the development proposed responds to this need, providing facilities that meet UK animal welfare standards which is preferable to increased importations.

Cranswick operations elsewhere

The granting of planning consent would assume the conditions and regimes secured in legislation outside of planning legislation, would be complied with by the Applicant/ operator.

There are a substantial number of third-party consultation comments and documentation which refer to ongoing nuisance issues such as odour and noise issues at an existing pig facility (Cherry Tree Farm) in Stow Bedon, owned and operated by the Applicant. In addition, an FOI request to the Environment Agency identified a number of complaints made regarding this site.

The CSNN officer suggests that this demonstrates that, despite the modelling for potential impacts at that site being adequate to secure planning permission and an Environmental Permit, it is possible that issues can arise once a facility is operational

that do not reflect those anticipated in the application documentation. Hence the need for stringent planning conditions attached to the consent, should the consent be granted.

Members should determine what weight to give to this information as they balance the material planning considerations in reaching a decision.

Public health

In paragraph 96, the NPPF requires that authorities should aim to achieve healthy, inclusive and safe places which… enable and support healthy lives, through both promoting good health and preventing ill-health.

Third party objectors to the development raise concerns about the health and wellbeing of local residents and employees of the proposed development, in terms of their physical and mental health. It is stated the proposal would increase the risk of contracting respiratory illnesses, and that the noise and disturbance could result in the loss of sleep for local residents. Objections also refer to the need to reduce meat consumption generally.

The Neighbour amenity and the Air Quality and Contamination sections of this report above address many of the concerns raised under 'public health'. In terms of the general consumption of meat across the borough, it is suggested limited weight is given to this in the determination of the application. Case law states that it is a matter for Members what weight to give to public health concerns even when they are not supported by evidence.

Legal Agreement

The Applicant has submitted a Unilateral Undertaking with the application. The agreement states that the owners shall-

- cease to house any pigs on Airfield Farm within six months of occupation of the pig development;
- not allow or permit more than 14,000 live pigs to be on the land following commencement of the pig development;
- not allow or permit more than 14,000 live pigs to be on the land following commencement of the poultry development;

The Council is unable to take a view regarding the necessity of this legal agreement to make the development acceptable in planning terms due to the outstanding issues discussed above within the report.

Public Protest

Given the number of third-party representations received, if planning consent were approved it is not unlikely that the application site may, both during construction and operation, be subject to public protest. The implications of this would affect not only

the Applicant but also local residents and visitors to the borough causing disturbance in the locality.

Any other matters requiring consideration prior to determination

- Objectors refer to the fact that Norfolk already has the third largest number of animals reared intensively in the UK. Two of the largest poultry farms in the UK are already in Norfolk (near to Diss and to Fakenham). The third largest pig farm in the country is less than three miles from the site. This information is noted and Members are entitled to take this into account.

- Objectors state that if consent was granted this should secure the clearance of the site when the use ceases via the use of planning conditions/ a legal agreement. However, the site already benefits from permitted development rights as an agricultural enterprise and this would continue to be the case. It would be considered unreasonable to seek to remove these.

- Much of the information submitted by the Applicant relates to the development of both application sites, rather than each site in isolation. As a result, the consultation responses consider the two proposed schemes together, and the resultant impacts of the development of one of these sites in isolation is unclear. Members should bear this is mind as they seek to determine each application on its own merits.

PLANNING BALANCE AND CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Development Plan, unless material considerations indicate otherwise. The recently adopted Local Plan forms the Development Plan.

Whilst the proposed development does comply with the following adopted Local Plan and new Local Plan policies as follows:

- Principle of Development - policies CS06, CS10 and LP07.
- Transport and impact on the highway network – policies CS11, DM12, DM15 and LP11, LP13, and LP21.
- Air Quality and Contamination – policies CS08 and LP18.
- Neighbour amenity – policies CS08, DM15 and LP07 and LP21.
- Form and Character – policies CS06, CS08, CS12 and LP18, LP19 and LP21.
- Drainage and Flood Risk – policies CS08, DM15 and LP21 and LP25.
- Heritage assets – policies CS12 and LP20.

this compliance is subject to the consideration of all other planning matters (as discussed within the report). The compliance is also subject to detailed planning conditions.

The application site lies within close proximity to a number of European protected sites. The information submitted by the Applicant has been considered in detail. Information has been revised and updated during the application process and two additional rounds of consultation have taken place. The Applicant has so far failed to demonstrate that the development proposed would not result insignificant adverse effects on these protected sites. As such the proposal is contrary to Local Plan policy CS12 and new Local Plan policies LP19 and LP27, and paragraphs 193-195 of the NPPF.

Local Plan policy CS08 and new Local Plan policies LP06 and LP18 reinforce the need for the Council to consider the impact of the development on climate change. The landmark ***Finch*** decision requires an assessment is submitted and consideration is given to the downstream greenhouse gas emissions. Insufficient environmental information has been submitted to date and as such there is a legal risk to the Council to adequately consider this issue and to make a decision.

The public benefits of the development as proposed are outweighed by the potential environmental impacts of the scheme. The Council are not in a position to be able to fully assess these impacts despite the number of opportunities presented to the Applicant to submit further information, and as such the application should be refused. In conclusion, the development as proposed is not considered acceptable and fails to comply with Local Plan policies CC08 and CS12, new Local Plan policies LP06, LP19 and LP27, and the NPPF (paragraphs 193-195).

RECOMMENDATION

REFUSE for the following reasons;

1. The application site lies within close proximity to a number of European protected sites. The information submitted by the Applicant fails to demonstrate that the development proposed would not result in significant adverse effects on the protected sites. As such the proposal is contrary to Local Plan policy CS12 and new Local Plan policies LP19 and LP27, and the NPPF paragraphs 193-195.

2. The Council is required to consider the significant effects of the project on the environment, including the impact of the development on climate change. Insufficient environmental information has been submitted to enable the Council to reach a view and as such the application is contrary to Local Plan policy CS08 and new Local Plan policies LP06 and LP18, and the NPPF.