

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/1366/F	CASE OFFICER	Rebecca Collins
LOCATION:	ROCKLANDS Church Farm Rocklands Road Rockland All Saints ROCKLANDS	APPNTYPE:	Full
APPLICANT:	P J Southgate Ltd Lyng Farm Long Lane	POLICY:	Out Settlemnt Bndry
AGENT:	C E Davidson Ltd South View New Street	ALLOCATION:	N
PROPOSAL:	2no poultry breeder sheds and associated feed bins	CONS AREA:	N
		LB GRADE:	Adjacent Grade 2
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is, as defined by the scheme of delegation, a major planning application and is therefore referred to Planning Committee for this reason.

KEY ISSUES

Principle
Character of the Area and Impact on Heritage Assets
Impact on amenity
Highways - Access and safety
Other matters

DESCRIPTION OF DEVELOPMENT

The application proposal is for two poultry breeder shed and associated feeder bins, as an extension to an existing poultry farm.

SITE AND LOCATION

The application site is located to the north of Rocklands Road and to the west of the existing Church Farm. The proposal and the farm is access off Mill Lane. Church Farm consists of existing Poultry sheds behind a bungalow which fronts onto Rocklands Road. There is a slight increase in ground levels to the west of the existing farm.

A row of poplar trees run along the existing western boundary of the farm, these are to be removed. There is very little planting and hedgerows in this location, with the site surrounded by and being existing open agricultural land.

EIA REQUIRED

No - the site was screened for needing an EIA but it was resolved that there would not be significant environmental effects from the proposed development to warrant a full EIA.

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.03	Employment
CP.08	Natural Resources
CP.09	Pollution and Waste
CP.11	Protection and Enhancement of the Landscape
DC.01	Protection of Amenity
DC.07	Employment Development Outside of General Employment Area
DC.12	Trees and Landscape
DC.13	Flood Risk
DC.16	Design
DC.17	Historic Environment
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

ROCKLANDS P C

We are informed the routes taken will be the same as the lorries currently take to service the existing sheds. We are also informed that it is not expected that there will be any significant increase in traffic as these lorries have the capacity to service the original sheds and the extra two sheds.

Some trees had already been cleared to make way for the new sheds. These would be visible from the roads until the foliage grows. There was a point raised that the clearing was big enough for further expansion and it

was hoped there would not be a further application for even more sheds.

There have been concerns expressed from residents about the potential for an increased smell and odour, however these sheds are some distance from the main community, the only close residents are at Church Farm, who are the applicants, they are adjacent to the two existing sheds, and the farm manager who also lives next to the sheds, currently has no problem with the smell. We must remember that Rocklands is largely an agricultural parish and without doubt, at times there will be odours. We feel as long as these odours are not excessive and do not cause annoyance to others it is something that will occur and can be managed. We are assured that all efforts will be made to keep any smell or odour to a minimum.

After considering all points raised and investigating the operation/process and taking all matters into account the Parish Council finds no grounds for objecting to this application.

ENVIRONMENT AGENCY

No objection subject to a condition to address risks to controlled waters from contamination at the site.

NORFOLK COUNTY COUNCIL HIGHWAYS

07/02/19

Notwithstanding the applicants traffic generation figures, the site is served by a single track road, the access is unsurfaced and the carriageway edge is being damaged by HGV movements. I therefore consider that the existing access need to be upgraded in accordance with the Norfolk County Council Field Type 1 specification as part of the proposal. The design of the access needs to be modelled on the track runs of the largest vehicle likely to use it.

20/02/2019

The applicant has agreed to improve the existing unsurfaced access as part of the proposal and, on the basis of the information provided that the proposal will not result in a significant increase in HGV activity, this Authority would not wish to raise an objection subject to a condition being imposed to secure the agreed works.

FLOOD & WATER MANAGEMENT TEAM

The development would be classed as minor development. The Local Planning Authority would be responsible for assessing the suitability for any surface water drainage proposal for minor development in line with National Planning Policy Framework (NPPF).

HISTORIC BUILDINGS CONSULTANT

05/02/2019

I am happy with those proposed levels and comparative overall heights.

The proposed green cladding will match the existing units as well.

29/01/2019

The application site is set within relatively open countryside and adjacent to 50% of the Designated Heritage Assets within the Parish of Rocklands. The adjacent Assets are All Saints Church and School Room to the north-west (Grade I), The ruined tower of Saint Andrew s Church to the south-west (Grade II), Church Farmhouse - to which the application site relates to the immediate north-east (Grade II) and Kirkhall Farmhouse to the south-east (Grade II). Despite the close proximity of the Assets to the application site, and the setting of both within relatively open countryside, the specific siting of the individual assets, topography, road alignment, and natural screening, it is probable that an appropriate development to provide additional poultry sheds would not impact on the setting of the collective Heritage Assets. Notwithstanding this, the submission material does not confirm how the proposed sheds will sit in relation to the existing sheds; to

ensure that the impact of the proposal is kept to a minimum, the overall height and slab levels between the existing and the proposed sheds will need to be comparable. In addition, the recently removed poplar screening to the west of the existing sheds will need to be reinstated to screen the elevational mass of the buildings when viewed from the west.

TREE AND COUNTRYSIDE CONSULTANT

05/02/2018

I am happy with the supplied planting proposal, species mix and density.

16/01/2019

The proposal will require the removal of some poplar trees, no objection to this. Some mitigation planting should be included (not poplars).

ECOLOGICAL AND BIODIVERSITY CONSULTANT

This planning application is supported by a Preliminary Ecological Appraisal (Bench Ecology; December 2018). The report is fit for purpose. We support the mitigation measures proposed in the report to mitigate impacts on ecological receptors that would occur due to the proposed development. If you are minded to approve this application, we recommend that you condition the proposed development proceeds in line with the mitigation and enhancement measures outlined in the Preliminary Ecological Appraisal.

CONTAMINATED LAND OFFICER

I recommend approval providing the development proceeds in line with the application details and subject to a condition with regards to unexpected contamination, required to alleviate environmental concerns.

ENVIRONMENTAL HEALTH OFFICERS

Recommend approval providing the development proceeds in line with the application details and subject to conditions with regards to dead birds, lighting flies, extraction and restricted deliveries hours to alleviate environmental concerns. I would also concur with the Environment Agency comments regarding wash down water and liquid draining from manure and request that their condition regarding dirty water is included within any permission granted.

BUCKENHAM AVIATION CENTRE LTD

No Comments Received

ANGLIAN WATER SERVICE

No Comments Received

HISTORIC ENGLAND

No Comments Received

REPRESENTATIONS

- Three letters of representation have been received, their comments have been summarised as follows:
- The site will negatively impact the environment, the sheds are being vented into the air with no filtration;
 - The units are far bigger than the existing;
 - The smell is awful in the summer and this proposal will make it worse;
 - The submitted HGV route makes no sense;
 - The roads round here are awful and not suitable for this use;
 - Traffic will significantly increase if this proposal is permitted;
 - The prevailing winds will drift to Rockland All Saints;
 - This is not a Brownfield site as stated;
 - An EIA is required;
 - The proposed roof height is stated as 4.3 metres whereas, the elevation drawing shows it as 4.585 metres, plus the height of the fans. There is also no mention of the food bins, which have a total height of

approximately 8.1 metres (scaled from drawing);

- There is no contribution to employment - only one part time job;
- The wrong policies have been quoted and the design and access stated is not factually correct;
- It will be clearly visible from the highway (Stowlay Lane) which leads to grade 2 listed St Andrew's tower (only 130 metres away from the proposed site) and also the grade 1 listed All Saints church.

ASSESSMENT NOTES

1.0 Principle

1.1 The application site lies outside a designated development boundary in the Countryside and outside of any designated general employment area, where proposals for new employment are encouraged to be sited (Policy DC6). However, Policy DC7 does permit employment development outside of general employment areas, whereby (b) there are particular reasons, including (i) business expansion (ii) businesses that are based on agriculture and where (c) the development of the site would not adversely affect the type and volume of traffic generated.

1.2 The proposal being agricultural and an expansion of an existing Poultry Farm, is not considered to generate significant additional traffic movements, as further discussed below. The proposal is therefore considered in accordance with Policy DC7 of the Core Strategy.

2.0 Character of the Area and Impact on Heritage Assets

2.1 The application site lies within open countryside, with relatively little screening or vegetation in this location. The area is raised from the public highway and from the existing farm to the east and therefore holds a visually prominent position in the street scene, clearly visible from the highway and as one approaches the site from west. However, clear views from the north, south and east are unlikely due to the existence of existing buildings and where views are available the proposed building, it will be viewed on the backdrop of existing buildings. The site will utilise the existing access off Mill Lane. Although, some works to this access are required, they are unlikely to significantly change any visual aspect of Mill Lane.

2.2 The applicant has submitted some additional information to demonstrate the heights of the proposed buildings in context with the existing and despite the sites prominent position off Rocklands Road and that the building will be clearly visible, with a lack of screening and vegetation, it is considered to be an agricultural use, in a wider agricultural setting and is the expansion of an existing building supported by policy DC7. The applicant has provided information to demonstrate that the proposed buildings will be viewed in association with and as an extension of the existing Poultry farm. Therefore, any impacts on the street scene and/or the character of the area are significantly reduced for these reasons. The proposal is therefore considered in accordance with Policy DC16 of the Core Strategy and 12 of the NPPF (2019).

2.3 The application also includes two bulk feeding bins, which are higher than the buildings proposed. There are other feed bins across the site and although the proposed bins will be visible they are not considered to have a significant impact on the character of this area due to other existing visible feeder bins within the site.

2.4 Policy 16 of the NPPF and Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, seek to protect the special interest and significance of heritage assets/Listed Buildings and their settings.

2.5 The site also lies adjacent to 50% of the designated heritage assets within the Parish of Rocklands. The

adjacent heritage assets are All Saints Church and School Room to the north-west (Grade I), The ruined tower of Saint Andrew s Church to the south-west (Grade II), Church Farmhouse - to which the application site relates to the immediate north-east (Grade II) and Kirkhall Farmhouse to the south-east (Grade II). Despite the close proximity of the Assets to the application site, and the setting of both within relatively open countryside, the specific siting of the individual assets, topography, road alignment, and natural screening, it is probable that an appropriate development to provide additional poultry sheds would not impact on the setting of the collective Heritage Assets. The applicant has submitted relevant additional information to demonstrate this to the satisfaction of the Historic Buildings officer.

2.6 Given the proximity of the proposal to the Grade I All Saints Church, Historic England (HE) have been consulted, despite the proposal not being considered to impact its setting. The comments of HE will be reported to members at the Planning Committee.

2.7 Despite, awaiting the comments of HE, it is considered by officers and the Historic Buildings officer that the proposal would not harm the setting or significance of these heritage assets and there is some public benefit in expanding an existing building that would outweigh any modest harm. The proposal is therefore considered in accordance with Policy 16 of the NPPF (2019) and Sections 16 and 66 of the Act. In addition, the recently removed poplar screening to the west of the existing sheds will be reinstated with a thicker bank of more appropriate screening, which will screen the building to the west. The Tree officer has assessed the submitted proposals and is content that this is an acceptable planting scheme. This will therefore be secured via a suitably worded condition, in accordance with Policy DC12 of the Core Strategy.

3.0 Impact on amenity

3.1 Policy DC1 of the Breckland Core Strategy seeks to protect the amenity of neighbouring properties. There are no immediate neighbours adjacent to the development outside the ownership of the farm. There are however, sporadic dwellings to the north, east and south and Rockland All Saints lies to the north-west.

3.2 Objections have been received to the proposal with regards to the additional impact the proposed units would have on the amenity of neighbouring properties from additional smells. It is important to note that this is an existing Poultry Farm so an assessment must be made with regards to any additional impacts.

3.3 The applicant states that the modern construction and installation of the latest ventilation equipment within the poultry buildings has alleviated historical issues and concerns surrounding smell. Environmental Health officers have been consulted in this regard and are satisfied with the information submitted subject to recommending conditions with regards to risk to controlled waters from contamination (also requested by the EA), an odour management plan, working hours, lighting and fly and dead birds conditions. The odour management, contamination and hours of operation and lighting conditions are relevant planning matters and have been applied in accordance with paragraph 55 of the NPPF. The matters of flies and dead birds are not considered to be relevant planning matters and are not enforceable or reasonable to make the development acceptable in accordance with paragraph 55, as these matters are covered by Environmental legislation and can be appropriately dealt with in this way.

4.0 Highways - Access and safety

4.1 A number of concerns have been raised about the potential additional impacts of additional traffic and HGVs on narrow local roads if planning permission is granted.

4.2 The applicants have set out that the proposed vehicle movements will be the same as those generated by the existing poultry enterprise, which involves a maximum of 4 movements per week to collect eggs and

deliver feed.

4.3 The Highways Authority have been consulted and although satisfied that the traffic generation will be low, notwithstanding this, they state, that the site is served by a single track road, the access is unsurfaced and the carriageway edge is being damaged by HGV movements. They therefore recommend that the existing access needs to be upgraded in accordance with the Norfolk County Council Field Type 1 specification as part of the proposal. The applicant has sent through a revised access plan and this can be achieved through a suitably worded condition and therefore the proposal is considered to be acceptable in highways safety and accessibility terms.

4.4 Initially the applicants were asked to submit a HGV route for assessment, the first route submitted, an error was made and the applicants have since submitted an alternative route, which is considered acceptable by the Highways Authority.

5.0 Other matters

5.1 Trees

The removal of trees has been covered above and the Tree officer is satisfied with the proposed replacement planting scheme.

5.2 EIA

The neighbours have raised concerns with regards to the applicants not submitting an EIA. The application has been screened by officers for the requirement for an EIA and the environmental impacts are not considered so significant to warrant an EIA in this instance. No regard has been given to the viability of the proposal in reaching a decision as to whether an EIA would be required.

5.3 Flood risk and drainage

The site is located outside of any identified flood risk area and is on a reasonably high ground level. There is sufficient space around the building for appropriate drainage. The applicant has submitted a surface water drainage strategy with the application it states:

'The increase in hardstanding areas will create an increase in the surface water runoff generated within the site prior to mitigation. However, through the incorporation of a sustainable surface water drainage system the increased surface water runoff will be entirely contained in an attenuation drainage system, and discharge from site at a controlled rate to the ditch'. The use of SUDs is considered in accordance with the drainage hierarchy and therefore in accordance with Policy 14 of the NPPF.

The strategy goes on to say:

'The installation of the surface water drainage system will reduce the risk of flooding from instantaneous runoff, which currently discharges onto the surrounding ground.

5.4 To prevent pollution to the surface waters, underlying geology, and groundwater an appropriate level of water treatment stages have been incorporated into the design'.

5.5 A maintenance scheme for the drainage is also proposed. The proposal is therefore unlikely to increase risk of flooding elsewhere in accordance with Policy 14 of the NPPF and the submitted drainage strategy is proposed to be conditioned to ensure this.

5.6 Contamination

The EA and Environmental Health officers have reviewed the application with regards to contamination and are satisfied, subject to conditions with regards to risk to controlled waters from contamination and unexpected contamination, which will be applied in accordance with Policy 14 of the NPPF.

5.7 Policy

It is noted that the applicant has, in their design and access statement quoted policies not relating to this site, however, this recommendation is based upon Breckland's adopted Development Plan and the National Planning Policy Framework, as well as taking into consideration any other relevant material planning consideration, as required by Planning Law and paragraph 47 of the NPPF.

6.0 Conclusion

The proposal is considered acceptable in principle and is unlikely to have a significant impact on the character of the area, the significance of nearby heritage assets, the amenity of neighbouring properties or highways safety. Matters of tree removal, flood risk and contamination have all been assessed and are considered satisfactory or can be adequately conditioned. The proposal is therefore considered to accord with the National Planning Policy Framework (2019) and the Development Plan and therefore has been recommended for approval.

RECOMMENDATION

The proposal is considered to accord with the Development Plan and the NPPF (2019), as set out above, and is therefore recommended for approval, subject to the imposition of conditions attached to this report.

CONDITIONS

- 3 Full Permission Time Limit (3 years)**

The development must be begun not later than the expiration of THREE YEARS beginning with the date of this permission.
Reason for Condition:
As required by section 91 of the Town and Country Planning Act 1990.
- 4 In accordance with submitted plans NEW 2017**

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.
Reason for condition:-
To ensure the satisfactory development of the site.
- 5 Materials**

The materials to be used in the construction of the external elevations of the development hereby approved shall be as set out on the submitted application form, unless otherwise first agreed in writing by the Local Planning Authority.
Reason for condition:-
To ensure the satisfactory appearance of the development, in accordance with Policy DC 1 and DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.
This condition will require to be discharged
- 6 Non-standard landscaping condition**

Planting and management shall be undertaken in accordance with the submitted

landscaping and management schemes, as set out on the Planting Plan received on 5/2/2019. All Planting shall be undertaken in the first planting season following first use of any of the buildings hereby approved. Any trees which die or are removed within the first five years shall be replaced in the next planting season.

Reason for condition

To protect the rural character of the area in accordance with Policy DC16 and to replace trees removed in accordance with Policy DC12 of the Breckland Core Strategy.

7 Lighting Pollution

All external lighting should be hooded and angled down and installed and maintained in accordance with the manufacturers design. No other external lighting shall be installed on the site without the prior written approval of the local Planning Authority.

Reason for condition:

In the interest of the amenities of nearby residents in accordance with Policy DC1 of the Core Strategy.

This condition will require to be discharged

8 Approved surface water system to be constructed

Before the floor slab to any dwelling is laid, the approved surface water drainage system for the whole development shall be constructed to the satisfaction of the Local Planning Authority in consultation with the Environment Agency.

Reason for condition:-

To minimise the possibilities of flooding.

9 Non-standard drainage condition

Prior to the commencement of development a scheme to contain and dispose of contaminated drainage shall be submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented prior to first occupation of either of the units hereby approved. The scheme should include details of the containment of all polluting effluents arising from the rearing of chickens, including end of cycle wash water.

Reason for condition:-

To prevent the increased risk of pollution to the water environment from the proposed discharge to surface waters in accordance with Policy 14 of the NPPF.

10 Non-standard drainage condition

11 Contaminated Land - Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other offsite receptors.

This condition is imposed in accordance with CP9 of the Breckland Adopted Core Strategy.

This condition will require to be discharged

12

Odour management plan

Prior to first occupation of either of the units hereby approved, an odour management plan shall be submitted to and approved in writing by the Local Planning Authority. The odour management plan should identify all odour sources, including those associated with the clearing and cleaning of the sheds and detail how they are to be managed and monitored to prevent or reduce odours, it should also detail the establishment of a formal system for recording and dealing with complaints. The development shall be operated in accordance with the agreed scheme.

Reason for condition:-

The details are required prior to the commencement of the development in the interests of the amenities of the area and/or local residents in accordance with Policy DC 1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

13

Highways/Access cond

Prior to the commencement of the use hereby permitted the vehicular access indicated for improvement on Drawing No. Southgate-Highway Rev 1 shall be upgraded/widened in accordance with a detailed scheme to be first agreed in writing with the Local Planning Authority. The access shall be constructed in accordance with the Norfolk County Council access construction specification Field Type 1 for the first 15 metres as measured back from the near channel edge of the adjacent carriageway. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.

14

No machinery/ processes or deliveries outside specified hour

No feed deliveries or egg collections shall be made to the site between the hours of 20:00 to 07:00 Monday to Friday and 12:00 Saturday to 07:00 Monday.

Reason for condition:-

In the interests of the amenities of adjoining residents in accordance with policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

15

NOTE: E.A notes attached

Additional advice to applicant from EA

- Wherever possible the development should be constructed to the Best Available Techniques for intensive poultry production as set out in the European Commission Intensive Rearing of Poultry and Pigs (ILF) BREF (Best Available Techniques reference document). See: <http://eippcb.jrc.ec.europa.eu/reference/irpp.html>

- Foul and surface water manhole covers should be marked to enable easy recognition; convention is red for foul and blue for surface water. This to prevent polluting discharges to surface or ground waters.

