

ITEM:		RECOMMENDATION: APPROVAL
REF NO:	3PL/2020/0780/F	CASE OFFICER Fiona Hunter
LOCATION:	SNETTERTON Land at Chalk Lane	APPNTYPE: Full
APPLICANT:	2 Agriculture Ltd C/o Agent -	POLICY: Out Settlemnt Bndry
AGENT:	WYG 54 Hagley Road 3rd Floor	CONS AREA: N
PROPOSAL:	The construction of an agricultural feed mill (Use Class B2) with ancillary offices and welfare facilities, creation of a new vehicular access and associated infrastructure including silos; engineering; landscaping; and ground works - this is an Environmental Impact Assessment Development	
		LB GRADE: N
		TPO: N

REASON FOR COMMITTEE CONSIDERATION

This is a significant planning application, with significant public interest, which warrants consideration at Planning Committee. This is due to the sites location outside General Employment Area, number of traffic movements and that the proposal is EIA development.

KEY ISSUES

Principle of Development
Highways, Road Network and Parking
Design and Landscape Impact
Drainage and Flooding
Tree, Hedges, Ecology, Biodiversity, Emissions and Protected Sites
Residential Amenity
Heritage Assessment
Benefits of the Development
Environmental Impact Assessment
Planning Balance and Conclusion

DESCRIPTION OF DEVELOPMENT

Full Planning Application for a agricultural feed mill (Use Class B2) with ancillary offices and welfare facilities, creation of a new vehicular access and associated infrastructure including silos; engineering; landscaping; and ground works.

The development will create 12,360sqm of agricultural feed mill floor space. The mill will create circa 12,000 tonnes of feed per week. The Mill is 43.27m in height at it's tallest point, dropping down to 38m. The tallest grain store is 28m in height. The building at its widest point is 72m.

30 lorry spaces parking spaces and 85 car parking spaces of which 6 are disabled and 2 which have electric vehicle charging points are proposed.

100 full time jobs will be created by the development. Hours of operation hours are 24/7, 365 days a year.

The section of Chalk Lane fronting the site is proposed to be widened to 6.5m to accommodate the expected Heavy Goods Vehicle Movements associated with the development, tying into the widening works already delivered by the Renewable Energy Site to the immediate east.

Section 5.0 of the Transport Assessment details there is expected to be 149 in and out HGV movements per day and 55 car movements per day. It is anticipated that 26% of these staff car movements will be via Chalk Lane north. All HGVs will be via the A11 proposed to be secured through a routing agreement.

The Environment Agency on 29.09.2020 have advised that the development will require an Environmental Permit if treating and processing >300 tonnes per day of vegetable raw materials. The applicant confirmed on 28.03.2021 that the development will process 1600 tonnes of vegetable products a day (primarily wheat). Therefore, even if production was halved for any reason, the development would still require an Environmental Permit. Furthermore, the applicants existing Feed Mill at Stoke Ferry, which has a lesser production capacity, is covered by an Environmental Permit.

SITE AND LOCATION

The site is currently used for arable agriculture and extends to 3.4ha and is accessed from the south via Chalk Lane, Snetterton. The site's southern, eastern and northern boundary are defined by an existing hedgerow with a few interspersed trees.

The adjacent biomass power station approved under 3PL/2016/0610/VAR, core building is 34.5m in height, dropping down to a smaller building/ component of 17m in height. The chimney is 60.5m in height.

To the north-west is Snetterton village which has three Listed Buildings. To the south/ south-east is the A11. To the south-west is a General Employment Area.

EIA REQUIRED

A Environmental Impact Assessment Screening Opinion (3SR/2018/0006/SCR), pursuant to Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), hereby referred to as the EIA Regulations, was submitted to the Council on 17th September 2018. On 23rd November 2018 the Council completed the Screening and advised that the development is likely to result in significant environmental effects and therefore an Environmental Statement (ES) is required.

The reasons for this conclusion were:

- a. Biodiversity, in respect of the impact on the Swangey Fen Attleborough SSSI caused by the proposals scale and scale of operation and it's location with the identified SSSIs Risk Impact Zone; and
- b. Transport, in respect of the Local Road Network and Junctions, due to the number of transport movements and location near to Snetterton General Employment area as adopted and emerging; and
- c. Landscape due to height, massing and lighting of the development.

The application has therefore been accompanied by Environment Statement (ES) including a Non-Technical Summary, with its scope being based on the above list.

RELEVANT SITE HISTORY

3SR/2018/0006/SCR EIA required 23-11-18
Proposed Agricultural Feed Mill

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, 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

COM01	Design
COM03	Protection of Amenity
EC01	Economic Development
EC04	Employment Development Outside General Employment Areas
ENV02	Biodiversity protection and enhancement
ENV03	The Brecks Protected Habitats & Species
ENV05	Protection and Enhancement of the Landscape
ENV06	Trees, Hedgerows and Development
ENV07	Designated Heritage Assets
ENV08	Non-Designated Heritage Assets
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
INF02	Developer Contributions
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

None proposed.

CONSULTATIONS

SHROPHAM PARISH COUNCIL

Shropham Parish Council fully support all of the objections made by Snetterton Parish Council and would reiterate the following points:

- The location is outside of the General Employment area as per the adopted Local Plan (November 2019).
- Increased traffic from the site would inevitably travel through the village of Shropham. The Hargham Road which runs through the centre of the village and is a direct link to the A11 is already very busy with traffic and heavy goods vehicles from the Bio Mass facility, Traditional Norfolk Poultry and other surrounding businesses. There is no footpath along this road which makes it extremely dangerous for pedestrians and cyclists and other road users.
- The scale of the building is detrimental to the landscape and will be visible for miles around.
- The light pollution from this site, running over a 24 hour period, is contrary to NPPF Clause 180C.

ATTLEBOROUGH TOWN COUNCIL

No objections.

ROUDHAM & LARLING PARISH COUNCIL

No objections.

GREAT ELLINGHAM PARISH COUNCIL

The location is outside the employment area identified in the Local Plan. The parish council therefore continue to object to this application.

ROCKLANDS PARISH COUNCIL

Whilst this application might not greatly affect Rocklands village, we are very concerned for the effect on the surrounding villages of Snetterton and Shropham, particularly, for the following reasons:

Traffic: This application will provide up to 80 jobs (but only 20 on-site staff) the majority of these will be involved with transportation and it is these large vehicles accessing and leaving the site which will cause problems. The sheer number of vehicle movements could threaten to overwhelm the Snetterton interchange. It is planned that the vehicles will largely use this interchange but when it comes to accessing the farms and sites who form their customer base, it is more than likely that vehicles will travel through Snetterton and Shropham and other small villages, on their way to delivery.

Visual Impact: The visual impact of this mill will also be substantial, even though it will be partially concealed by the Biomass plant, it will still be very visible on the horizon.

Light Pollution: There are proposals for lighting on the site which, while conforming to the current planning guidelines, will only increase the light pollution already in the Snetterton Heath area. The full extent of this cannot be properly assessed until the plant is fully operational. But again, this is another aspect that will affect residents in the immediate surrounding areas.

Noise & Odour: We understand that the levels of noise and dust should be at a relatively low level but when added to the existing industries in the area, this is a further damaging effect on the surrounding settlements.

We therefore hope that Breckland look extremely closely at this application and the negative impact on the local villages, before agreeing to the proposal.

BRIDGHAM PARISH COUNCIL

Bridgham Parish Council would object to the plans if there were to be any negative environmental impact on

local residents due to excessive traffic, noise pollution etc. through the village.

OLD BUCKENHAM PARISH COUNCIL

The Parish Council supports the application and can see no problems for our Parish.

NORFOLK COUNTY COUNCIL HIGHWAYS

As you will be aware, the adjacent Snetterton interchange is the responsibility of Highways England, as strategic Highway Authority, and therefore it is not within my remit to comment with regard to potential impacts to the junction or the A11.

Having considered the information submitted, it is noted that the applicant has outlined that the proposals will be served by a new purpose built access onto Chalk Lane and that all traffic will be routed directly to / from the A11 (i.e. left out / right in). In addition, they are outlining that Chalk Lane will be widened (to 6.5m along the site frontage) to ensure that all of the route to / from the site is capable of carrying two-way HGV traffic.

With regard the routing, I have suggested a suitable condition however alternatively this could be secured by a S106 agreement. Please also note that I have suggested that this arrangement is for all vehicles, not just HGVs, as outlined by the applicant to ensure all traffic uses the most appropriate routes (along Chalk Lane) to / from the site.

In light of the above, whilst I acknowledge that the proposals will lead to an increase in traffic on the short section of Chalk Lane leading back to the A11, this is unlikely to lead to a significant highways impact (subject to the improvements / routing outlined above). Should you be minded to approve the application I would recommend the inclusion of conditions.

HIGHWAYS ENGLAND

No objection.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

The updated ES Biodiversity Chapter and Ecological Appraisal reports have been updated to include the vegetation that is proposed for removal to facilitate the creation of visibility splays. It is not clear from the information provided if hedgerow one qualifies as an important hedgerow (the methodology within the Hedgerow Regulations 2017 must be followed to determine if a hedgerow is important). The two ash trees with bat roost potential can now be identified within Hedgerow 1 but it appears from the hedgerow removal plan that these trees will be retained but it isn't clear. It would be useful if there was a tree protection plan showing the trees/hedgerows to be retained and protected as well as vegetation which is proposed for removal. We recommend that the two ash trees are retained because of their biodiversity value. If the two ash trees are proposed for removal then this work must proceed with care. Any works to the trees conducted in September/October, to avoid maternity and hibernation seasons when bats are most vulnerable to disturbance. If the tree is to be felled then we recommend soft felling, where tree limbs are cut and left grounded over-night to allow any bats to make their way out and if, in the unlikely event any bats or new evidence are discovered prior to work or whilst work is in progress then works must stop immediately and a suitably qualified ecologist contacted for advice.

In addition it is recommended the Council condition a Construction Environmental Management Plan and a Landscape and Ecological Management Plan.

TREE AND COUNTRYSIDE CONSULTANT

Agree with the findings of the Hedgerow Survey that neither hedge qualifies as being important and can therefore be removed as required.

NATURAL ENGLAND

No objection.

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

ENVIRONMENT AGENCY

At this stage, with no prior engagement, is that there appears to be a low risk of issues preventing a permit for this development subject to full application of BAT and the statements made in the proposals. A full assessment of environmental risk assessments directly relating to any Environmental Permit application would be made at that stage given this has not been a parallel tracking development.

CONTAMINATED LAND OFFICER

No objection subject to conditions for site investigation and remediation together with unexpected contamination.

The applicant should provide further details on the activities undertaken in order to clarify permitting requirements. It is understood that the Environment Agency have requested clarification on this aspect too.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to submitted mitigation plans for both noise and lighting as submitted within the 2 Agriculture Ltd Chalk Lane Snetterton Light Assessment July 2020 and Noise assessment June 2020 with additional comments relating to low frequency noise.

The site is likely to be controlled by an Environment Agency A1 industrial emission permit which will have controls on all emissions including noise and odour. In this regard there is a danger of dual enforcement conflicts if specific noise / odour planning conditions are imposed however if you believe the planning permission should control noise through a condition then wording is provided.

ECONOMIC DEVELOPMENT

The email from the agent 30 September 2020 states that the current number of people employed at the existing facility in Stoke Ferry is 79 whereas the number of people employed at the new facility proposed will total 112. This represents an increase in the number of employment opportunities that will be provided as a result of the proposed facility. The employment uplift is considered positive news for the Breckland, and indeed wider, economy. Unfortunately though it is not immediately clear what the value of the jobs created will be.

FLOOD & WATER MANAGEMENT TEAM

No objection subject to compliance with submitted documents.

HISTORIC ENVIRONMENT SERVICE

No comments to make on this application.

SNETTERTON PARISH COUNCIL

September 2020

CASE OFFICER COMMENT - Please see full response on website.

SUMMARY -

Objection for the following reasons:

1. The mass and scale of building is totally unsuitable as an addition to an already large industrial development and will cause a cumulative negative impact on the visual amenity of Snetterton and all villages within a five + mile radius. This is not an industrial building of similar appearance and scale to the bio-mass, as claimed by the applicant.

2 & 7. Planning application is on land not within General Employment Area (GEA) as per adopted Local Plan November, 2019. Even if the site was within a GEA the development would contravene criteria c, d and e of Policy EC 03. The development contravenes (3) and (c) of Policy EC 04 Employment Development Outside General Employment Areas Proposals.

3, 4 & 10. This application respects no visual sensitivities and will harm the landscape characteristics of the River Thet Valley. This application will cause great harm to the environmental quality of the Thet Valley and the village of Snetterton and Shropham which border the River Thet. Any screening proposed can't screen a development of 43.27m x 20m in height.

5. There is All Saints Church and Grade 2 listed buildings The Thatches, Holly Lodge Farmhouse, North Farm and The Thatched Cottage all with direct eye lines to the proposed application and within 0.7 km as the crow flies from the application site. Their visual amenity will be destroyed by this application especially given its size, mass and scale not to mention light, noise and dust pollution.

6. Traffic increase and impact not acceptable, this will result in significant increase of traffic through Snetterton village and Chalk Lane.

9. The residents of Snetterton and adjoining villages of Quidenham, Eccles, Harling and Shropham already suffer from cumulative light pollution for many miles around from: 1. Bio-mass; 2.s Menu; 3. Petrol station and food outlets. The addition of a 24 hour operating industrial facility will contravene National and District Council policies.

11. This application does not take into account the amenity considerations:

- overbearing impact / visual dominance, not just for the residents of Snetterton but also of all adjoining villages by day and more impactfully by night with associated light pollution for a 24 hour industrial operation.
- other forms of nuisance such as artificial light pollution.
- other forms of pollution.

12. Development cannot provide sustainable transport

13. Designated landscapes area in proximity of the application site including Valleys, Heathlands, SSSI's, CWS and Ancient Semi-Natural Woodland.

14. Pre-application consultation insufficient and timing of submission over holiday period during a pandemic has prevented the Council from holding a meeting.

15. Employment the application claims to be 100 full time jobs. This is misleading as this is a re-location of an existing industrial mill site in Stock Ferry, not an additional new site offering 100 new jobs.

In conclusion, Snetterton Parish Council would like to re-iterate their total support for planning applications that are in line with the Cambridge to Norwich Tech Corridor vision and their location in the Employment Area as ratified in the Local Plan, November 2019 and for employment opportunities that fulfil this vision. This application is in contravention to this stated vision.

QUIDENHAM PARISH COUNCIL

Although the proposed feed mill lies within the boundary of Snetterton Parish, the scale of the development is bound to have some effect on the surrounding parishes.

It has always been the aspiration of Breckland Council and Parish Councils surrounding Snetterton Heath to bring quality 'high tech' jobs to Snetterton Heath. However, recent developments threaten to undermine this strategy. They include: a pet food business, a biomass plant, a straw drying facility, an oil storage depot, and a builder's merchants. Whilst these are necessary to the wider economy, they have only provided a limited number of jobs and certainly not of the quality envisaged. In addition, these recent developments rely very heavily on transportation. The sheer number of vehicle movements associated with these developments threatens to overwhelm the Snetterton interchange complex. There needs to be a more cohesive approach to any further development.

Visual Impact: The scale of this mill adjacent to the Biomass plant will be most felt by the residents of Snetterton. Although partially hidden by the Biomass plant, the villages within the Parish of Quidenham will still be able to see the mill on the horizon. Concern has also been expressed that the land on which the mill is to be built was originally designated for screening purpose to mitigate the visual intrusion of the Biomass plant. We presume that this has been set aside in the name of progress.

Noise/Dust: Reports suggest that this will be at a relatively low level. However, we must remember that any noise will be in addition to existing industries in this area. The topography of the area is such that any noise is likely to carry for a substantial distance. From our experience it will be impossible to assess the true impact until the plant is operational.

Lighting: Although the lighting plan may fall within current planning guidelines it has to be realised that this will be in addition to existing light pollution, within the Snetterton Heath area, much of which has been added in an unregulated fashion. Again, the true extent cannot be assessed until, the plant is fully operational.

Employment: Although additional employment in this part of Norfolk is to be welcomed, the jobs created are relatively small compared to the size of the development.

Transport: whilst the transport report states that no HGVs will leave or enter Snetterton from Heath road, it does not mention whether these same vehicles could proceed to the Hargham interchange and then travel through the parish of Quidenham. Logic says that they must travel through our villages in order to service the many Poultry facilities around the area.

Quidenham Parish Council fully realises that farming must become more efficient if it is to compete with foreign, imports. It is not against such a development but it surely must be appropriate for the location. We need to remember that Snetterton Heath sits in a rural setting on the fringe of the East Breckland plateau. By its very nature, any sizeable development of this nature is bound to have a detrimental effect on local settlements and the environment. At a time when we are more conscious of our environmental responsibilities, is this an appropriate development for this location?

HISTORIC BUILDINGS CONSULTANT

No objection.

PRINCIPAL PLANNER MINERAL & WASTE POLICY No Comments Received

NATIONAL PLANNING CASEWORK UNIT No Comments Received

OLD BUCKENHAM AIRFIELD	No Comments Received
BANHAM PARISH COUNCIL	No Comments Received
BESTHORPE PARISH COUNCIL	No Comments Received
GREAT HOCKHAM PARISH COUNCIL	No Comments Received
HISTORIC ENGLAND	No Comments Received

REPRESENTATIONS

Neighbours were consulted on 28-07-20 and 23-12-2020, a site notice erected on 07-08-20, and an advert published in a local paper on 03-08-20 and 11-01-2021. The later consultations were due to additional and amended information. In total approximately 64 local representations have been received objecting to the application, some of which are second responses from the same persons. Their comments are summarised below:

- Negative visual landscape impact
- Cumulative harm with other developments existing and approved
- Harm to heritage assets
- Increase in road traffic with associated road capacity, safety and noise impacts
- If road blocked only other route is through small local roads and lanes
- Noise disturbance
- Light, noise, dust and odour pollution and disturbance
- Job benefit not as strong as presented by applicant
- Negative impact to wildlife and habitat sites
- Negative detriment to local business Horse Welfare including development access being opposite their Head Office and Hall Farm Centre
- Industrialisation of this area
- Negative Cumulative impact with other developments
- Development is not on an allocated site
- Pre-application consultation inadequate
- Site is within low flying zone
- Just because they cannot find a suitable site does not mean they should develop this one
- Unsuitable power supply
- Undermines local democracy
- A Dark sky Discovery site is only a couple of miles to its north.

ASSESSMENT NOTES

1.0 Principle of Development

1.1 The site is for an employment generating use and is within the countryside outside any settlement or General Employment Area. Policy EC 04 of the Breckland Local Plan (adopted 2019) permits this type of use subject to criteria an assessment of which is considered below.

a. It is demonstrated that there are no other suitable sites available on identified or allocated employment sites; and/or

1.2 The applicant has submitted reports and details of a site search as follows:

- CPRE Report July 2017
- CPRE Report March 2018 which the agent advised took place over 1 to 3 months
- WYG Planning Statement (Section 5) assessment of General Employment Sites and Estates Gazettes search undertaken at the time of preparing the Planning Statement
- WGY Sequential Assessment: Employment Sites no methodology (expanded work of the above bullet point)
- Within Planning Statement reference to an applicant Norfolk and Suffolk site search over the last 2 to 3 years
- Correspondence between Snetterton General Employment Landowners and the applicant, with the former advising they would not consider the development suitable for their land.

1.3 The information submitted is sufficient to demonstrate that at the time of the search's no sites within industrial or business sites or allocated General Employment Areas within their catchment area were available. However, from the information submitted it is considered that site searches were not carried out for long enough periods to ascertain whether any of the sites, which did meet the search criteria, are unavailable. As a minimum, a period of 12 months carried out in the last 24 months from the date of submission would be required to demonstrate that no existing or allocated employment sites are available. Any less period of time significantly raises doubt as to whether any more suitable sites in terms of Planning Policy, are not available.

1.4 The information between the Snetterton GEA landowners and the applicant is sufficient to demonstrate that these areas are not available for this development.

1.5 Due to the insufficient site search period it is considered that category (a) has not been met.

b. There are particular reasons for the development not being located on an established or allocated employment site including:

1. The expansion of an existing business;

1.6 The development is not the expansion of a business in the adjacent or immediate area.

2. Businesses that are based on agriculture, forestry or other industry where there are sustainability advantages to being located in close proximity to the market they serve; or

1.7 The development uses agricultural raw products and mills and processes these into livestock feed. It can therefore be concluded that it is agricultural based industry. The raw materials and end product come from a wide catchment. The farms that the product is sold to includes those in Norfolk, Suffolk, Essex and Lincolnshire. The site is therefore located relatively central to the the markets it serves, but is not close to all it's markets. Furthermore, it is not considered that the application site is closer to the market it serves than some other GEA and established business areas.

3. Industries and / or businesses which would be detrimental to local amenity if located in settlements, including general employment areas.

1.8 The development due to number of vehicle movements, noise, odour, dust and height is not considered suitable to be located within or adjacent to residential settlements. The development would be acceptable in a GEA, however it is acknowledged that due to the development height and number of vehicle movements some GEA landowners are unlikely to allow the development as it would potentially be seen as undesirable

for adjacent current or future users.

1.9 Overall the development does not accord with Policy EC 04 of the Breckland Local Plan (adopted 2019).

Material Considerations

1.10 There are several material considerations in favour of the development.

1.11 The Mill is 43.27m in height at its tallest point, dropping down to 38m, with 28m height grain stores. The building at its widest point is 72m. The development is unusually large in bulk and height for Breckland. The application site is immediately adjacent to the Snetterton Renewable Energy Plant which is 34.5m in height, dropping down to smaller building/ component of 17m height, together with a 60.5m chimney.

1.12 Whilst the feed mill is larger than Snetterton Renewable Energy Plant, the latter is one of the tallest and bulkiest developments in the District. Siting the development adjacent to Snetterton Renewable Energy Plant will result in the grouping of these larger buildings and structures. The development will be visible from many vantage points, however, the site is not close to any Public Right's of Way, recreational parks, large settlements or protected landscape areas (as defined by the NPPF and Policy Maps). It therefore is not a particularly sensitive location in terms of visual impact.

1.13 The site is close to the A11 with vehicles coming from the A11 not having to pass any residential properties and benefiting from an existing on and off point from the A11. The development has a high number of vehicle movements and therefore being located close to an A road is beneficial.

1.14 Lastly, the development is located roughly central to the businesses/ markets it serves.

1.15 Due to the foregoing material considerations it is considered that the principle of development is acceptable.

2.0 Highways, Road Network and Parking

2.1 Section 5.0 of the Transport Assessment details there will be 149 in and out HGV movements per day and 55 car movements per day. It is anticipated that 26% of these staff car movements will be via Chalk Lane north. All HGVs will be via the A11 proposed to be secured through a routing agreement.

2.2 The section of Chalk Lane fronting the site is proposed to be widened to 6.5m to accommodate the expected Heavy Goods Vehicle Movements associated with the development, tying into the widening works already delivered by the Renewable Energy Site to the immediate east.

2.3 The Transport Statement details that feed mill operation will result in 20.1% impact in peak morning hours and 41.2% impact in peak evening hours to Chalk Lane. The next most impacted road is Heath Road (west) with a 7.9% impact at peak morning and 16.4% at peak evening. The Statement details these traffic impacts range between Minor and Major. However, the routes to the south of the site are considered to 'negligible' in terms of sensitivity to traffic impacts due to the lack of active frontages, pedestrian facilities and sensitive uses, and the percentage impacts are based upon a low baseline level of traffic.

2.4 A junction assessment has also been undertaken which concludes that the affected junctions will all have considerable spare capacity post development and no mitigation is required.

2.5 Overall the transport/ highways impacts were found to vary between Negligible to Negligible Adverse with

no additional mitigation required beyond the widening of Chalk Lane.

2.6 The development is not in proximity to an existing bus service, railway line or cycle paths. Due to the A11 and distance to larger settlements, it is also considered unviable for a new bus service or cycle path to be brought forward through a planning obligation. This is a negative aspect of the development, however, if the development was located in Snetterton GEA these also lack sustainable transport options.

2.7 Highways England and NCC Highways have raised no objection. NCC Highways have recommended that the routing plan applies to all vehicles including staff together with other conditions. It is considered that the routing condition is enforceable as: (a) HGV movements are within the control of site operator including any non-company vehicles which can be controlled by way of contracts; (b) signage can be provided on site to assist all drivers and serve as a reminder; (c) monitoring can be provided by the applicant and recorded in a log which could be spot checks by a member of staff at a position down Chalk Lane or by fixed cameras. The site operator would have a log of staff private vehicle registration numbers. Whilst monitoring can be considered a fairly onerous continuous obligation, in this case it is considered essential given the high level of vehicle movements and the potential impact to residents if a even a small proportion of vehicles go northwards and through North End (Snetterton village) on a regular basis.

2.8 Subject to the routing plan condition, other conditions recommended by NCC Highways and the Chalk Lane widening, the development is considered to be compliant with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019) together with paragraph 127 of the NPPF.

3.0 Design and Landscape Impact

3.1 Policy ENV 05 of the Breckland Local Plan (adopted 2019) details that the landscape of the District is valued for its benefit to the rural character and in the interests of biodiversity, geodiversity and historic conservation. Development proposals will be expected to contribute to and where possible enhance the local environment by recognising the intrinsic character and beauty of the countryside. Development should have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, including a consideration of individual or groups of natural features such as trees, hedges and woodland or rivers, streams or other topographical features. All developments should have regard to the findings of the Council's Landscape Character Assessment (LCA) and Settlement Fringe Landscape Assessment. Development should also be designed to be sympathetic to landscape character. High protection will be given to the river valleys and chalk rivers in Breckland as identified in the Landscape Character Assessment, recognising their defining natural features, rich biodiversity and the undeveloped character of their shallow valleys.

3.2 Policy GEN 02 of the Breckland Local Plan (adopted 2019) requires high quality design that respects and is sensitive to the character of the surrounding area and makes a positive architectural and urban design contribution to its context and location amongst other requirements. Policy COM 01 requires development to be designed to the highest possible standards which contribute to the distinctive character and amenity of the local area.

3.3 The design is functional in form and this is considered suitable for the proposed use. The Mills external walls are proposed to be Colorcoat finished profiled metal composite insulated cladding panels in colour Albatross BS.18 B 17 (light to medium grey), with brick plinth. This shade is considered to be appropriate and will blend with the sky reducing the visual impact compared to a more colour saturated or darker colour. The design is considered to meet the objectives of Policies GEN 02 and COM 01 of the Breckland Local Plan (adopted 2019). However, certain detailed Policy requirements such as maximising connectivity within and through a development is not appropriate for a development with high number of HGVs for safety reasons.

3.3 The Mill would be 43.27m tall at its highest point, dropping down to 38m and at its widest point is 72m. The tallest grain store is 28m in height. Within the Environmental Statement Non-Technical Summary there is an Indicative Visualisation of the development which shows the massing. The application does not detail why the development needs to be this height or whether it would be viable to be reduced in height.

3.4 The Snetterton Biomass Power Station is located to the south-east of the application site and its core building/structure is 34.5m in height, dropping down to a smaller building/ component of 17m height. The chimney is 60.5m in height.

3.5 The site lies within the E2: Snetterton Heath Plateau Landscape Character Area as defined in the Breckland District Landscape Character Assessment 2007. Snetterton Heath Plateau is an elevated landform which has key characteristics including a large scale, elevated landscape which provides opportunities for distant views across the character area and is mainly arable agriculture interspersed with woodland blocks with fields defined by hedgerows. It is a tamed landscape which has an essentially peaceful, rural quality.

3.6 The Breckland District Landscape Character Assessment 2007 is partly out of date as there is notable development which has subsequently been built in the area including Snetterton Biomass Power Station, Natures Menu, McDonalds and Esso Petrol Station. It also does not reflect the Snetterton Employment Allocations 1 and 2.

3.7 The applicant's submitted Landscape and Visual Assessment (LVIA) concludes that the development will have a minor adverse landscape effect on the E2: Snetterton Heath Plateau, which the site is within. Also on the D3: Harling Heathlands, A1: River Thet and D2: Stanta Heath LCAs situated within 1.5km of the development. The document identifies the reason for this conclusion is derived from: the influence of the existing Snetterton Renewable Energy Plant on the characteristics of the LCAs; the development's location situated adjacent to the energy plant; and the similar industrial character and similar building size of the development to that of the energy plant, which limit the scale of change associated with the development on the LCAs. The minor adverse effects are not considered significant.

3.8 In respect to the visual impact of the development the Landscape and Visual Assessment concludes that the development will have a moderate adverse to negligible adverse effect. The effect is considered not significant due to the presence of existing industry at Snetterton Renewable Energy Plant within the site's immediate context in the view. Mitigation measures include inclusion of hedgerow, tree and shrub groups including extra heavy standard trees within the landscape planting.

3.9 The Parish Council has disputed these conclusions and sets out that in their view, having sought professional assistance, that the LVIA has oversimplified landscape effects and illustrated an over reliance on the presence of the existing adjacent Snetterton Renewable Energy Plant, which is not described within the LVIA as being a detracting feature within the local landscape. Furthermore, that the LVIA provides limited visual viewpoint locations and no Verified Visual Montages to substantiate the visual assessment conclusions or to aid the decision makers. They also raise issues with the methodology and assessment criteria. (Please see the Parish Council's full submissions on the Council's website).

3.10 Some of the Parish Council's criticism of the LVIA are partly concurred with, however, there is sufficient information provided to assess the landscape and visual impact of the development. Having regard to the above, the case officer assessment is provided below.

3.11 The development is large in scale, including height, width and bulk and would be a prominent feature of the immediate local area and landscape. The adjacent public highways Chalk Lane will provide the greatest

visibility of the development for the public. The harm caused by the development of a building/ structure of this scale will be reduced by: that Chalk Lane is a transitional place where people pass through opposed to a destination (other than the power plant workers); that it will be seen in the context of another large industrial type buildings; that the structure is set back from the road at the northern part of the application site; and in the longer term (15 years) will be partially screened by structural planting. The harm to immediate and close views is considered to have a moderate adverse effect in the construction phase and short term and minor adverse in the long term once the site planting has matured, noting that due to the visibility angle for pedestrians, cyclists and vehicles that a proportion of the development will be screened by planting when immediately passing the site.

3.12 The site is anticipated from the provided information including Viewpoint 1 photograph and from site visits that it will be visible from some ≥ 1 km view points, some of which are:

- A11 from various vantage points and will be seen in the context of the Snetterton Renewable Energy Plant.
- Hargham Road, with screening from some intervening hedges and trees.
- Swallow Lane east (Snetterton Village)

3.13 From more distant viewpoints within the wider landscape, as demonstrated in the LVIA Viewpoint study, the development will be visible due to its position on the elevated landform of the Snetterton Heath Plateau. This includes land beyond the River Thet corridor as well as from locations within the landscape to the east. The Snetterton Renewable Energy Plant is a notable feature of the view on the plateau confirmed by the Viewpoint Photographs and it will be visible from some residential properties, public rights of way and by roads. For example, the development will be visible from Eccles village.

3.14 The LVIA concludes that the magnitude of change during construction and operation will be: negligible at three of the identified Viewpoints; small at four identified Viewpoints; and medium for receptors on the eastern edge of Snetterton village whose view is less interrupted by tree and hedgerow vegetation and construction and operation of the development at day 1 may provide an intermediate size change in view. After 15 years of operation the site planting would reduce this to a small magnitude of change due to planting maturation. These have been assessed and agreed with.

3.15 The applicant has also submitted a Lighting Assessment, which provides a lighting strategy and assessment and concludes that predicted sky glow figure (ULR)(Upward light ratio) is 2.0%, which is below the Institute of Lighting Professionals (IPL) sky glow limitation for an area classified as Environmental Zone E2 (Low district brightness areas, village or relatively dark outer suburban urban locations) being 2.5% ULR. As such the proposed lighting scheme meets the ILP sky glow limitations and is therefore not considered to result in detrimental impacts on the dark sky landscape.

3.16 In conclusion, the following affects to views/ vistas and the landscape has been found:

3.17 Immediate views to the site from Chalk Lane and adjacent agricultural fields will have a moderate adverse effect in the construction phase and short term operation and then minor adverse effect in the long term (15 years) once the site planting has matured.

3.18 Moderate adverse visual affects will occur for residents at the eastern edge North End/ Swallow Lane (Snetterton village) whom have less restricted views towards the site during construction and short term operation, this will reduce to minor adverse visual affect at 15 years operation when the site planting matures.

3.19 The effect to landscape character area E2: Snetterton Heath Plateau is found have a minor adverse

effect due to adjacent Snetterton Renewable Energy Plant, land levels and limited vistas to the site.

3.20 The effect to the nearest landscape character areas (D3: Harling Heathlands, A1: River Thet and D2: Stanta Heath) will be minor adverse and this is due to the distance from the application site; screening from many vistas by woodland blocks, trees and hedges and the skyline in this areas already being interrupted by an industrial type building. The reason why a minor adverse effect has been found opposed to negligible is that the development will appear bulkier than the adjacent Snetterton Renewable Power Plant's main components, as the Mill is taller than the plant and is not comparable to the plants taller, but slender chimney. This minor adverse effect extends to residential receptors and footpath users as identified for viewpoints 2, 4 and 5 situated up to approximately 2km from the site.

3.21 Effects to more distance landscape character areas and receptors at over 2km away are considered to have a Negligible adverse effect.

3.22 The above identified minor and moderate visual and landscape harm, which needs to be considered in the overall planning balance. Because of this harm, there is a slight conflict with Policy ENV 05 of the Breckland Local Plan (adopted 2019) as the development does not contribute to the enhancement of the local environment nor does it retain all the site trees and hedges.

4.0 Drainage and Flooding

4.1 Surface water from hard standing and buildings is proposed to be directed to 4 infiltration basins via shallow channels and pipes. The northern catchment will drain via oversized pipes and a vortex separator to a cellular soakaway beneath the north east yard. The base of the cellular soakaways is circa 4m below ground level which is considered a deeper soakaway and is equivalent to connection to a combined sewer in terms of the drainage hierarchy (i.e. least favourable). However, the applicants have demonstrated that this is the only possible option to drain the site and that there is no practicable alternative as discharge to watercourse would require a pumped solution to the River Thet located 1.2km to the west and there are no sewers serving the local area.

4.2 The southern catchment will drain via oversized pipes and a vortex separator first to permeable paving within the car park and then to one of three geo-cellular soakaways.

4.3 The applicant recognises the need to protect groundwater from pollution and that any infiltration structure must be constructed 1.2m above the anticipated seasonally high groundwater levels. Ground Investigation has been undertaken to establish groundwater levels on the site as well as site-specific soakage rates.

4.4 The LLFA have considered the submitted Flood Risk Assessment and Drainage Strategy and found it to be acceptable, including appropriately sized, suitable infiltration rates and pollution control measures and have raised no objection subject to conditions to secure the submitted strategy. The case officer has also reviewed the drainage strategy and found no reason to deviate from the LLFA's recommendation on this aspect of the development. Subject to conditions, the development complies with Policy ENV 09 of the Breckland Local Plan (adopted 2019), Section 14 of the NPPF, NPPG Guidance and Norfolk County Council LLFA Guidance.

5.0 Trees, Hedges, Ecology, Biodiversity, Emissions and Protected Sites

Habitats Regulations Screening

5.1 The LPA as the competent authority must consider and conclude whether the potential for likely

significant effects to European Sites can be excluded. If they cannot, the LPA must make an Appropriate Assessment (AA) of the implications of the development for that site, in consideration of the effected European Sites conservation objectives. The information required to enable the LPA to undertake the assessment is provided by the Applicant's submitted Ecological Appraisal June 2020.

5.2 The site is:

- 1.68km from the Norfolk Valley Fens Special Area of Conservation (SAC)(UK 0012892) which qualifying features are: Northern Atlantic wet heaths (H4010); European dry heaths (H4030); Semi-natural dry grasslands and scrubland facies (H6210); Molinia meadows on calcareous, peaty or clayey-silt-laden soils (H6410); Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae* (H7210); Alkaline fens (H7230); Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (H91E0); Narrow-mouthed whorl snail (S1014); and Desmoulin's whorl snail (S1016).
- 5.96km from the Breckland Special Protection Area (SPA) (UK 9009201) which qualifying features are: Stone Curlew (A133); European nightjar (A224); and Woodlark (A246).
- 8.66km from the Breckland SAC (UK 0019865), qualifying features are: Inland dunes with open *Corynephorus* and *Agrostis* grasslands (H2330); Natural eutrophic lakes with Magnopotamion or Hydrocharition-type vegetation (H3150); European dry heaths (H4030); . Semi-natural dry grasslands and scrubland facies (H6210); Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (H91E0); and Great crested newt (S1166).

5.3 SACs and SPAs are protected under The Conservation of Habitats and Species Regulations 2017 (as amended). The application must be considers with in combination effects from other plans or projects.

5.4 The Environment Statement details that the annual mean and daily (24 hour mean) NO_x PEC from the operations of the boilers at the ecological receptors are below the relevant critical level for the protection of vegetation and ecosystems. For this reason, together with traffic route southwards toward the A11 for HGV and commercial vehicles, and distance to the European sites, likely significant effects to the identified sites can be excluded. Natural England advises that they consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscape which supports this conclusion.

Habitats Regulations Screening End

5.5 Swangey Fen, Attleborough Site of Special Scientific Interest (SSSI)(TM013931) is 1.68km from the application site. The SSSI's impact Risk Zone extends to cover the application site. The SSSI is designated for its species-rich, spring-fed fen; wet woodland; and grassland. The SSSI is is mix of Unfavourable - Recovering and Favourable condition. The SSSI's impact Risk Zone extends to cover the application site.

5.6 Old Buckenham Fen SSSI (TM) is 3.77km from the application site. The SSSI is designated for its valley fen which is underlain by the impermeable clays of a buried channel and has reed beds. The SSSI is is mix of Unfavourable - Recovering and Favourable condition.

5.7 Natural England has advised that they consider that the proposed development will not have likely significant effects on any SSSI's.

5.8 As before, the Environment Statement details that the annual mean and daily (24 hour mean) NO_x PEC from the operations of the boilers at the ecological receptors, including the identified SSSI's, are below the

relevant critical level for the protection of vegetation and ecosystems. For this reason together with the distance from the site to the SSSI's it is not considered that the development will have an adverse effect to the SSSIs. The application therefore does not conflict with Policy ENV 02 of the Breckland Local Plan (adopted 2019) or paragraph 175 of the NPPF.

5.9 The development requires the removal of approximately 205m length of hedgerow to facilitate a safe access which through a assessment has been demonstrated is not protected under the Hedgerow Regulations 1997 and could be removed without planning permission, Whilst Policy ENV 06 of the Breckland Local Plan (adopted 2019) advises that trees and hedges should be retained as an integral part of development, in this instance the landowner could remove the hedgerows outside of bird breeding season irrespective of this application.

5.10 The site includes two Ash Trees adjacent to Chalk Lane which the application advises will be retained, however, the Council's Tree Officer has advised with the road widening works that they will have to be removed. These Trees are mature and have a low bat roost potential which could not be ruled out or confirmed due to ivy covering both trees. As such, the Council's Ecological and Biodiversity Consultant has advised a cautionary approach to their removal and these should be included as a condition. The loss of these trees is essential to facilitate the development, specifically the road widening. Policy ENV 06 advises trees should be retained as part of development and their loss will only be considered where there are exceptional and overriding benefits in accepting their loss. Where it is not possible to retain the trees adequate replacement provision, preferably by native species will be sought. The loss of trees is considered at the end of this assessment in the planning balance.

5.11 A concept landscape proposal has been provided which details the planting of 365m of replacement hedgerow around the site boundaries together with 2,692sqm areas for native tree and shrub planting and 1,073sqm areas for wildflower plantings. In addition 16 specimen trees (individually planted) are proposed. This is considered to be more than adequate replacement as required by Policy ENV 06 of the Breckland Local Plan (adopted 2019).

5.12 In respect to protected species and biodiversity on and adjacent to the application site the ecological survey identified no great crested newts; roosting bats; reptiles; badgers; Hazel Dormouse; otter or water vole at the application site, all of which are protected species. The site was found to have a moderate potential to support a range of breeding birds including small numbers of yellowhammer, skylark and meadow pipit. A high potential support brown hare was identified. The Council's Ecological and Biodiversity Consultant has raised no objection subject to conditions for Construction Environmental Management Plan and Landscape and Ecological Management Plan.

5.13 In respect of protected species, biodiversity, European sites and National sites the development is found to be acceptable and it accords with Policies ENV 02 and ENV 03 of the Breckland Local Plan (adopted 2019), together with Section 15 of the NPPF.

6.0 Residential Amenity

6.1 The submitted Noise Assessment June 2020 includes baseline noise monitoring information for the area around the application site and from their existing feed mill at Stoke Ferry. It proposed to incorporate a double layer steel to reduce noise levels from within the feed mill. The Noise Assessment concludes that the BS 4142 assessment, which considers the worst-case noise levels has shown that noise rating levels from the proposed operations are predicted to be at or below the Lowest Observed Adverse Effect Level (LOAEL) at all sensitive receptors during both the daytime and night-time periods. The NPPG advises that the LOAEL

is the level of noise exposure above which adverse effects on health and quality of life can be detected, as the applicant demonstrates the noise is at this level rather than above, it can be concluded that increase in noise levels is acceptable. Furthermore, the report details that cumulatively with the existing Snetterton Renewable Energy Plant that the development would result in a worst-case ambient noise level rise of 1.7 dB(A) which is considered to be negligible (noise level changes of ± 3 dB are generally imperceptible to the human ear).

6.2 In addition to this Noise Assessment, the applicant has also submitted a low frequency noise assessment (2nd November 2020) which details that there will no increase in noise from these lower frequency's (31.5 Hz and 63 Hz) at the nearest sensitive receptors.

6.3 The application is supported by a Dust, Air Quality & Odour Assessment which concludes that:

- During construction works impact from dust allowing for mitigation measures at affected receptors is considered 'low' potential significance.
- With the detailed site-specific mitigation measures the potential magnitude of dust associated with the development operation has potential as 'negligible effect' at the worse-case affected receptors.
- During the operation phase there will be no significant effects on local air quality from the additional development traffic on the local road network.
- The industrial emission air quality assessment concluded that there will be no significant long-term or short term effects on local air quality both for the protection of human health and for the protection of vegetation and ecosystems from the operation of steam boilers and dust scrubbers. The significance of the NO₂ impact on the receptors is determined to be 'negligible'.
- A qualitative odour assessment have shown that odour effects will be 'negligible' at all highly sensitive residential receptor locations. With a 'slight adverse' risk at the closest medium sensitive receptors*. Overall, based upon the survey at a similar agricultural feed mill site, odour is not considered to cause a significant effect.

* medium sensitive receptors are defined as:

- Users can reasonably expect to enjoy a reasonable level of amenity, but wouldn't reasonably expect to enjoy the same of amenity as in their home;
- People wouldn't reasonably be expected to be present here continuously or regularly for extended periods, as part of the normal pattern of use of the land.
- Examples may include places of work, commercial/retail premises and playing/recreation fields.

6.4 Both the Council's Environmental Health Officer and Environment Agency have considered the application and found the details to be acceptable. As such the development is compliant with Policy COM 03 of the Breckland Local Plan (adopted 2019) and paragraph 170 of the NPPF.

7.0 Heritage Assessment

7.1 Any decisions relating to Listed Buildings and their settings and Conservation Areas must address the statutory considerations of the Planning (Listed Building and Conservation Areas) Act 1990 in particular sections 16, 66 and 72 as well as satisfying the relevant policies within the NPPF 2019 and the development plan. National policy states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Policy ENV 07 of the Breckland Local Plan (adopted 2019) requires that the significance of designated heritage assets and their settings should be conserved, or wherever possible enhanced. Great weight shall be given to their conservation. Proposals that may affect the significance of a designated heritage asset will be required to

provide proportionate evidence to the assets importance, sufficient to identify its significance, including any contribution that its setting makes to enable any impact to be fully assessed, in accordance with national policy.

7.2 The nearest Listed Buildings are Grade II Listed The Thatches, Holly Lodge and North Farm 820 - 950m to the north-west of the application site. Further distant is the Grade II Stone Cross and Grade II* Church of All Saints including its tower which are located 1km west of the application site. Other listed buildings include Church of All Saints (Grade I) 1,300m to the west beyond the A11. There are no Conservation Areas in close proximity of the application site.

7.3 LVIA Viewpoint 1 photograph identifies that the development would be visible from the road adjacent to Grade II Listed The Thatches, Holly Lodge and North Farm, however, due to the separation distance and that both the development and listed buildings cannot be seen from one vantage point is not considered the development will cause any harm to the setting of these Listed Buildings. The development will also be visible from Grade II* Listed All Saints Church and Tower on Hargham Road (other side of A11). However, this will be partly screened by trees and will be sufficiently distant to not cause any harm to it's setting. For other Listed Buildings, the distance to the site and existing power plant will ensure that any harm is negligible. The Historic Building Officer has not raised an objection.

7.4 The NCC Historic Environment Service have considered the application and raised no objection nor requested any archaeological investigation based on their records.

7.5 Based on the foregoing, no harm to designated or undesignated heritage assets has been identified and any less than substantial harm would be outweighed by the benefits of the proposal including job creation. Therefore, there is no conflict with the Planning (Listed Building and Conservation Areas) Act 1990, Policy ENV 07 or Policy ENV 08 of the Breckland Local Plan (adopted 2019) and Section 16 of the NPPF.

8.0 Benefits of the Development

8.1 The Environmental Statement details that during the operation phase that the development is expected to generate 100 full time jobs of which 90 are anticipated to be relocated from the existing Agricultural Mill Site at Stoke Ferry, Norfolk creating 10 new jobs. The Planning Statement details that there will be 20 office staff and 30 operators in total. The other jobs may be HGV drivers but this is not clarified. The on-site jobs will be a mix of administration; technical; engineers; drivers; and management.

8.2 The development will also support existing jobs in the supply chain and through increase expenditure in the local economy. No specific details for this are provided.

8.3 In respect of environmental benefits the Planning Statement details that these include bringing the mill closer to farming base they supply, reducing the distance travelled by delivery lorries, together with reducing energy required per tonne of feed produced in comparison to their existing operation.

8.4 Cumulatively these are considered moderate benefits of the proposal. Without more precise detail, no greater weight can be afforded.

9.0 Environmental Impact Assessment

9.0 A Environmental Impact Assessment Screening Opinion (3SR/2018/0006/SCR), pursuant to Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), hereby referred to as the EIA Regulations, was submitted to the Council on 17th September 2018. On 23rd

November 2018 the Council completed the Screening and advised that the development is likely to result in significant environmental effects and therefore an Environmental Statement (ES) is required.

9.1 The application has therefore been accompanied by Environment Statement (ES) including a Non-Technical Summary, with scope limited to Biodiversity, Transport and Landscape.

9.2 The individual topics have been discussed in the Committee Report and the development has been found to not have a significant environmental impact in accordance with the ES Assessment of Significance of Environmental Effects. To preclude a significant effect mitigation measures are necessary and it is recommended these are secured by way of condition if they are not controlled by the Environmental Permit. A full list of mitigation measures are detailed at the ES Chapter 8 Conclusion listed below:

- Construction Environmental Management Plan to mitigate construction transport and biodiversity
- Time of site clearance and supervision by a ECoW to mitigate biodiversity impact
- Landscape and Habitat Management Plan to mitigate biodiversity impact impact

9.3 In addition, it is considered that the Traffic Routing Plan is also required to prevent a significant environmental impact to residents of Snetterton village (North End).

9.4 Imposition of management plans and monitoring in respect of odour, emissions and noise have been considered, however, as the site/ development will be controlled by an Environmental Permit in this instance it would be considered duplication having regard to EIA Regulation 26(3)(c).

10.0 Other Issues

10.1 An adjacent business World Horse Welfare have raised several objections, and paragraph 170(e) of the NPPF advises that planning decisions should prevent new and existing developments being adversely affected by unacceptable levels of soil, air, water or noise pollution. This is reflected in Policy COM 03 of the Breckland Local Plan (adopted 2019), which advises that for all new development consideration will need to be given to general amenity impact issues.

10.2 The proposed access for the development is opposite the access for World Horse Welfare and they have raised concern with the safety of road and the junction with private road Ada Cole Avenue due to the additional traffic movements. As detailed in section 2.0 this has not been identified as an unacceptable situation. In respect of horse movements, if they turn right as currently advised they should avoid all HGV traffic and the majority of staff travel whom will also be instructed to travel south to the A11.

10.3 In respect of noise, odour and dust this has not been found to give rise to an unacceptable impact to the business, whose nearest building is 711m distant.

10.4 The Council's Contaminated Land Officer has recommended a site investigation and remediation condition due to the Council's records together with the submitted Phase 1 Preliminary Geo-environmental Risk Assessment. This is concurred with noting further work is needed to ensure that any piled foundations do not introduce pathways for contamination to the underlying Principal Aquifer. Subject to this condition the development is compliant with Policy COM 03 in respect of contamination.

11.0 Planning Balance and Conclusion

11.1 The principle of development has been found to be acceptable, due to material planning considerations

as follows: siting adjacent to Snetterton Renewable Energy Plant which is a large industrial type development; away from highly visually sensitive location such as Public Right's of Way, recreational parks, large settlements or protected landscape areas (as defined by the NPPF and Policy Maps); being close to the A11 and not needing to pass any residential properties to get to this road; being central to the market it serves; and evidence provided that neither Snetterton GEA landowners would allow this development on land within their ownership.

11.2 A key consideration for this application is whether the road network can safely accommodate the high number of HGV and car movements associated with this development. The submission of a Transport Assessment has demonstrated the road network including junctions can accommodate the development subject to widening Chalk Lane which can be conditioned, and verified by NCC Highways and Highways England. This number of vehicles is only acceptable if they go straight to the A11 rather than northwards on local roads as this would have a significant detrimental affect to the residents of Snetterton Village at North End. As such a Routing Agreement should be conditioned. Subject to these controls the development is considered to be compliant with Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019) together with paragraph 127 of the NPPF.

11.3 The design is functional and is appropriate for this type of industrial and agricultural use. The external materials and colours have been selected to reduce its visual impact. The design is considered to meet the objectives of Policies GEN 02 and COM 01 of the Breckland Local Plan (adopted 2019). However, certain detailed Policy requirements such as maximising connectivity within and through a development is not appropriate for this development, with high number of HGVs for safety reasons.

11.4 Emissions from the development including noise, odour, dust and pollutants are, subject to the mitigation described in this report, at levels which will not create an unacceptable impact to the environment (local and wider), residents, businesses and users of the public realm. The development thus meets the requirements of Policy COM 03 of the Breckland Local Plan (adopted 2019) and paragraph 170 of the NPPF.

11.5 Sufficient information has been provided to demonstrate that there will be no limited harm to protected species (via loss of to Ash trees which may be bat roosts), no harm to biodiversity or European Sites subject to conditions and verified by the Council's Ecological and Biodiversity Consultant and Natural England. The development has been found to meet the requirements of Policy ENV 02 and ENV 03 of the Breckland Local Plan (adopted 2019) together with The Conservation of Habitats and Species Regulations 2017.

11.6 A suitable drainage solution has been detailed by the application and supported by the appropriate evidence that it is feasible and will prevent flooding on site and not increase flooding off-site in the 1 in 100 year rainfall event plus 40% allowance for climate change. The development accord with Policy ENV 09 of the Breckland Local Plan (adopted 2019).

11.7 An Environmental Impact Assessment has been undertaken and the development found not have a significant environmental effect, subject to conditions.

11.8 Harm will arise from the development in the form of minor to moderate visual and landscape harm due to the developments location, height and massing resulting in partial conflict with Policy ENV 05 of the Breckland Local Plan (adopted 2019), as it would not contribute to the enhancement of the local environment nor does it retain all the site trees and hedges. This harm needs to be weighed in the overall planning balance.

11.9 A further negative of the development is the loss of two mature ash trees and the unprotected hedgerows. Policy ENV 06 of the Breckland Local Plan (adopted 2019) advises that trees and hedges should

be retained as an integral part of development and their loss will only be acceptable where there are exceptional and overriding benefits in accepting their loss. This also should be considered in the overall planning balance.

11.10 In favour of the development are several factors. The development would replace an outdated mill elsewhere in Norfolk and provide an energy efficient modern facility. Overall the development would provide 10 new jobs beyond the 90 which will be re-located from Stoke Ferry their existing mill and support the supply chain in East Anglia. The new location is closer to it's farming base where it supplies the end produce and would thus reduce the HGV mileage of the development. Agricultural feed is an essential aspect of modern livestock farming in the UK and in Breckland, Norfolk and East Anglia livestock farming is a key component of the economy. Providing a modern, energy efficient solution for producing livestock feed in a location relatively central to the farms it supplies is therefore a planning benefit of the development. Lastly the proposed planting proposals provide more than required in terms of replacement planting. These factors are considered to create a strong planning benefit, which outweigh the minor to moderate visual and landscape harm identified and the loss of existing hedgerows and trees.

11.11 For the foregoing reasons, the development is recommended for approval subject to conditions.

RECOMMENDATION

The application is recommended for Approval, subject to conditions.

CONDITIONS

- 1 Full permission 3 year time limit**

The development hereby permitted shall be begun before the expiration of THREE YEARS from the date of this permission.
Reason for condition:-
To comply with section 91 of the Town & Country Planning Act 1990 (as amended).
- 2 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 including the external materials and colours for the approved buildings. The approved external buildings materials once erected must be maintained in perpetuity or replaced like for like unless otherwise first agreed in writing with the Local Planning Authority.
Reason for condition:-
To ensure the satisfactory development of the site, in accordance with Policy COM01 of the Breckland Local Plan (adopted 2019).
- 3 Land level and finished floor levels (Pre-Com)**

Prior to commencement of development details of existing and finished land levels and finished ground floor levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall accord with the approved details.
Reason for condition:-
Details are required prior to commencement to ensure that the land levels are not built above that needed for the visual benefit of the character and appearance of countryside and local vistas having regard to Policy ENV 05 of the Breckland Local Plan (adopted 2019) and paragraph 170 of the National Planning Policy Framework 2019.

This condition will require to be discharged

4 Construction Workers Parking (Pre-Com)

Development shall not commence until a scheme detailing provision for parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason for condition:-

To ensure adequate parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development. This condition is applied having regard to Policies COM 01(m), (n) and TR 01 of the Breckland Local Plan (adopted 2019) and paragraphs 108 and 109 of the National Planning Policy Framework 2019.

This condition will require to be discharged

5 Construction Traffic Management Plan (Pre-Com)

Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.

Reason for condition:-

In the interests of maintaining highway efficiency and safety having regard to Policies COM 01 and TR 01 of the Breckland Local Plan (adopted 2019) and paragraphs 108 and 109 of the National Planning Policy Framework 2019. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.

This condition will require to be discharged

6 Construction Environmental Management Plan (Pre-Com)

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- Risk assessment of potentially damaging construction activities;
- Identification of biodiversity protection zones;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;

- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- Use of protective fences, exclusion barriers and warning signs.

A site visit, desk study and updated targeted protected species survey carried out by a suitably qualified ecologist may be required in-line with CIEEM s Advice Note on the Lifespan of Ecological Reports and Surveys (CIEEM; April 2019) and any additional mitigation measures that need incorporating into the site's design agreed with the Local Planning Authority.

The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details, unless agreed in writing by the local planning authority.

Reason for condition:-

Details are required prior to commencement to reduce harm to protected species and biodiversity during the course of construction works having regard to Policy ENV02 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

7

Site Investigation and Remediation (Pre-Com)

Prior to the commencement of development hereby approved the following details shall be submitted to and approved in writing by the Local Planning Authority:

A. Site Investigation

A site investigation and risk assessment to determine the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include (i) a survey of the extent, scale and nature of contamination and (ii) an appraisal of remedial options, and proposal of the preferred option(s).

B. Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise first agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

The above must be undertaken in accordance with Defra and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason for condition:-

Details are required prior to commencement to ensure that risks from land contamination to the future users of the land, neighbouring land and the underlying principal aquifer 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 Section 15 of the National Planning Policy Framework 2019 and Policy COM 03 of the Breckland Local Plan (adopted 2019).

Informative:

Where remediation of contaminated land is required, the developer is advised to put in place measures to ensure that any future alterations/extensions to the development do not undermine completed remediation works and, if appropriate, that the future alterations/extension include the same scheme of remediation as that included in the original development.

This condition will require to be discharged

8

Tree Removal (Pre-Com/ Compliance)

The two mature Ash trees adjacent to Chalk Lane must be felled in September and/or October to avoid maternity and hibernation seasons when bats are most vulnerable to disturbance. The two Ash shall be soft felled where the tree limbs are cut and left grounded over-night to allow any bats to make their way out and if in the unlikely event that any bats are discovered which have not left the trees overnight then works must stop immediately and a suitably qualified ecologist contacted for advice and their advice followed.

In the event that any development takes place in connection with this planning permission including site clearance before the two Ash trees are soft felled then a Tree Protection Plan including protective fencing details shall be first submitted to and approved in writing with the Local Planning Authority. The approved tree protection fencing shall be put in place prior to any development taking place including road widening and thereafter retained until the trees are soft felled in September and/or October. Development shall not commence until written confirmation has been obtained from the appointed arboriculturalist to confirm that tree protection is in place as specified.

Reason for condition:-

For the protection of bats which may roost in two Ash trees adjacent to Chalk Lane having regard to Policy ENV02 of the Breckland Local Plan (adopted 2019) together with The Conservation of Habitats and Species Regulations 2017.

This condition will require to be discharged

9

Hours of operation during construction

No demolition, site clearance or construction shall be carried out, no machinery operated nor deliveries taken at or waste despatched from the site outside the hours of 07:30 - 18:00 Monday to Friday, 08:00 - 13:00 Saturday nor at any time on Sundays, Bank Holidays or Public Holidays.

Reason for condition:-

In the interests of the amenities of the locality in accordance with policy COM03 of the Breckland Local Plan (adopted 2019).

10

Landscape and Ecological Management Plan (foundations)

A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the development continuing above the laying of foundations or the erection of the external walls of the mill, whichever is the sooner. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures

A site visit, desk study and updated targeted protected species survey carried out by a suitably qualified ecologist may be required in-line with CIEEMs Advice Note on the Lifespan of Ecological Reports and Surveys (CIEEM; April 2019) and any additional mitigation measures that need incorporating into the site's design to be first agreed in writing with the local planning authority. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/ or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

Reason for condition:-

To ensure a net gain in biodiversity in accordance with Policy ENV02 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

11

Access Improvements (laying of hard standing)

Prior to the laying of hard standing a detailed vehicular access scheme shall be submitted to and approved in writing by the Local Planning Authority and which shall retain the highways access position as shown on the approved plan 004 Rev A. The scheme shall:

- Include details to demonstrate that surface water drainage will be intercepted and disposed of separately so that it does not discharge from or onto the highway.
- The gradient of the vehicular access shall not exceed 1:12 for the first 20 metres into the site as measured from the near channel edge of the adjacent carriageway.

Prior to the first use of the development hereby permitted, the approved detailed vehicular access scheme shall be delivered in full in accordance with the approved specification and thereafter retained in perpetuity.

Reason for condition:-

Details are required at an early stage to ensure construction of a satisfactory access, prevent abortive costs and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement having regard to

paragraph 108 of the National Planning Policy Framework 2019 and Policies GEN 02, TR 01 and TR 02 of the Breckland Local Plan (adopted 2019).

This condition will require to be discharged

12

Landscaping (laying of hard standing)

Prior to development commencing above the laying of foundations, landscaping details shall be submitted to and approved in writing by the Local Planning Authority, which shall accord with the approved Concept Landscape Proposal, LA.10 (uploaded to Council's website 01-09-20), and which shall include:

- a. A Plant Schedule (including planting plans and written specifications, including cultivation and other operations associated with plant and grass establishment) of trees, shrubs and other plants, noting species, plant sizes, proposed numbers and densities. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species
- b. An Implementation and Phasing Programme
- c. A Management and Maintenance Plan

The approved landscaping details shall be implemented in strict accordance with the approved Implementation and Phasing Programme and thereafter managed in accordance with the approved Management and Maintenance Plan.

Reason for condition:-

To provide visual screening to the development reducing harm to the character and appearance of the landscape and local vistas by the introduction of built development, together with providing planning benefit to mitigate against the loss of existing hedges. This condition is imposed Policy ENV 05 of the Breckland Local Plan (adopted 2019) and Section 15 of the NPPF.

This condition will require to be discharged

13

Routing Vehicle Management Plan (first use)

Prior to first use of the development hereby approved a Vehicle Management Plan for the routing of all vehicles (including HGVs & staff) to and from the site shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall thereafter be implemented as approved in perpetuity and make provision for:

- Monitoring of the approved arrangements during the life of the site.
- Ensuring that all drivers of vehicles under the control of the site operator, including those from external companies with contracts with the site operator, are made aware of the approved arrangements.
- The disciplinary steps that will be exercised in the event of a default.
- Appropriate signage, details to be approved by the Local Highway Authority and erected advising drivers of the vehicle routes agreed with the Local Highway Authority.
- Wheel cleaning facilities and their use/retention.

Reason for condition:-

In the interests of maintaining highway efficiency and safety, together with reducing disturbance to residential properties having regard to paragraph 108 of the National Planning Policy Framework 2019 and Policies GEN 02, COM 03, TR 01 and TR 02 of the Breckland Local Plan (adopted 2019). This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.

This condition will require to be discharged

14 Gates/bollard/chain/ (Compliance)

Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 20 metres from the near channel edge of the adjacent carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.

Reason for condition:-

In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened. In the interest of highway safety having regard to Policies GEN 02, TR 01 and TR 02 of the Breckland Local Plan (adopted 2019) and paragraph 108 of the National Planning Policy Framework 2019.

15 Drainage Condition (Compliance)

The development will be undertaken in complete accordance with the approved Flood Risk & Drainage Assessment, prepared by WYG, dated November 2020 and the approved drainage strategy shall be completed in full, and made fully functional prior to first use of the development hereby permitted. The drainage systems shall thereafter be retained and used in perpetuity and maintained in accordance with the SUDs Maintenance Plan (reference EB/12721) incorporated into the Flood Risk & Drainage Assessment.

Reason for condition:-

This condition is required to prevent flooding to ensure that the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development having regard to Policy ENV 09 of the Breckland Local Plan (adopted 2019) and Section 14 of the National Planning Policy Framework 2019.

16 Visibility splays (Compliance)

Prior to the first use of the development hereby permitted visibility splays shall be provided in full accordance with the details shown on the approved plan 004 RevA. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason for condition:-

In the interest of highway safety having regard to Policies GEN 02, TR 01 and TR 02 of the Breckland Local Plan (adopted 2019) and paragraph 108 of the National Planning Policy Framework 2019.

17 on-site roads delivery

Prior to the first occupation of the development hereby permitted the proposed access, on-site car and cycle parking, servicing, loading, unloading, turning, waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

Reason for condition:-

To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety having regard to Policies GEN 02, TR 01 and TR 02 of the Breckland Local Plan (adopted 2019) and paragraph 108 of the National Planning Policy Framework 2019.

18 Full details of external lighting

External lighting shall be strictly limited to that detailed in the approved Lighting Assessment July 2020 unless otherwise first approved in writing with the Local Planning Authority. Lighting levels shall not exceed sky glow figure (upward lighting ratio) of 2.1%.

The lighting shall be installed, maintained and operated in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason for condition:-

In the interests of the amenities of the area and local residents and to minimise light pollution in accordance with Policy COM3 of the Breckland Local Plan (adopted 2019).

19

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 prior to first occupation/ use of the development hereby approved. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority prior to first occupation/ use of the development hereby approved. 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 prior to first occupation/ use of the development hereby approved.

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 applied having regard to Policy COM 03 of the Breckland Local Plan (adopted 2019) and paragraph 170 of the National Planning Policy Framework 2019.