

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2021/0620/F	CASE OFFICER	Fiona Hunter
LOCATION:	TITTLESHALL Manor Farm Fakenham Road	APPNTYPE:	Full
APPLICANT:	R.W.C Tittleshall Ltd c/o Lanpro Services Manor Farm	POLICY:	Out Settlemnt Bndry
AGENT:	Lanpro Services Brettingham House 98 Pottergate	CONS AREA:	N
PROPOSAL:	Development of three proposed free-range poultry houses with associated roaming areas, management facilities and infrastructure.		
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is significant in size including site area, building floor areas and number of birds.

KEY ISSUES

Principle of Development
Highways, Road Network and Parking
Design and Landscape Impact
Drainage and Flooding
Ecology, Biodiversity, Emissions and Protected Sites
Residential Amenity
Historic Environment and Archaeology

DESCRIPTION OF DEVELOPMENT

Full planning permission for the development of three proposed free-range poultry houses with associated roaming areas, management facilities and infrastructure. The development utilises an existing field access at the sites south-eastern corner with a new internal road from the south of the site to the north. The poultry houses are at the western part of the site and are well separated each with large grounds for birds to roam. To the east is a new landscape screening area including an existing pond to be retained and proposed surface water drainage lagoon.

Each building is 87.5m in length, 16.4m in width, 4.5m to ridge and 5.8m to top of extraction chimney stack.

Each building will accommodate upto 13,333 birds which will come to site at 1 days old and remain until day 56.

SITE AND LOCATION

The site extends to 7.07ha in area with access from Fakenham Road. An existing hedge runs along its eastern boundary with the highway. It's current use is agriculture.

The site is approximately 380m north of Tittleshall and 184m north of Manorhouse Farm.

A Public Right of Way(PRoW)(Tittleshall FP4) starts at the east side of Fakenham Road opposite Manor Farm and then heads eastwards becoming/ joining Tittleshall FP1 and FP2.

EIA REQUIRED

A EIA Screening Request for the development was submitted to the Council 2nd July 2020 under Regulation 15 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The Council consulted with various consultees and concluded that no Environmental Statement was required due to:

- Sufficient distance to sensitive receptors to mitigate visual, residential amenity and emissions
- Below ground heritage assets unlikely to be of sufficient importance to result in significant environmental effect
- Screening provided by existing established hedgerow
- Low number of vehicle movements

It is considered that nothing has changed which would affect this conclusion and thus an Environment Statement is not required.

RELEVANT SITE HISTORY

3SR/2020/0006/SCR Permission 28-07-20

Three new poultry Houses and Three Feed Silos Soft landscaping for ranging areas and site screening and outside roaming area associated with each house

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
EC03	General Employment Areas
EC04	Employment Development Outside General Employment Areas
ENV01	Green Infrastructure
ENV02	Biodiversity protection and enhancement
ENV03	The Brecks Protected Habitats & Species
ENV05	Protection and Enhancement of the Landscape

ENV06	Trees, Hedgerows and Development
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

NORFOLK COUNTY COUNCIL HIGHWAYS

We are advised that each rearing cycle is of a 10/12 week duration and that each cycle will generate: 2/3 HGVs providing bedding; 1 HGV delivery livestock; 9/10 feed lorries; 8 HGVs removing fully grown birds (usually at night over a three day period; 6/8 movements at the end of the cycle associated with site clearance.

Paragraph 4.7.2 of the Planning Statement advises that, to prevent HGV traffic travelling through Tittleshall, HGV traffic will be routed northwards along Fakenham Road and then westwards along Raynham Road to reach A1065 and vice versa.

The submission also includes a proposal to re-level the existing bank to the north of the junction of Raynham Road with Fakenham Road to improve visibility which will be of benefit to other road users. On the basis of the submitted information I consider it would be difficult to substantiate a highway objection to the proposal.

I have recommended a number of conditions including the County Councils recommended HGV routing condition, which covers both the construction and operational phases of the development, however I understand your Authority is opposed to such conditions being imposed. Whilst continuing to recommend that this condition is included, if, as LPA, you consider it inappropriate then I would wish for a suitably worded condition to be imposed requiring signage be positioned at the access to advise drivers of HGVs to turn left out of the site to assist in reducing the incidence of HGVs travelling through the village.

FLOOD & WATER MANAGEMENT TEAM

No application specific comment.

HISTORIC ENVIRONMENT SERVICE

Based on currently available information the proposal will not have any significant impact on the historic environment and we do not wish to make any recommendations for archaeological work.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

The Shadow Habitats Regulations Assessment (Hopkins Ecology; August 2021) is fit for purpose. In our opinion, for the reasons outlined in the Shadow HRA the scheme in isolation and in-combination with similar schemes will not significantly impact the qualifying features of the River Wensum SAC. We recommend Breckland District council as the competent authority (as defined by the Habs Regs) adopt the Shadow Habitats Regulations Assessment (Hopkins Ecology; August 2021).

If you are minded to approve this application, we recommend that you condition compliance with proposed mitigation and ecological enhancement measures

ENVIRONMENT AGENCY

No objection. There is no total bird place capacity stated for the proposed 3 new poultry houses. Installations with a capacity for more than 40,000 chickens being reared for meat, including housed free-range poultry, require an Intensive Farming Environmental Permit from us, irrespective of planning approval.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to conditions for fly control, dead bird containment, odour levels cap and noise level cap.

HISTORIC BUILDINGS CONSULTANT

No objection.

NATURAL ENGLAND

No objection. The Air Quality ammonia report provided with the consultation (AS Modelling & Data Ltd, dated 18 October 2019) has screened the proposal to check for the likelihood of significant effects from aerial emissions on the above named designated site. It concludes that the process contribution of the proposal to ammonia concentrations and nitrogen deposition at all the above named sites would be below the Natural England advisory criterion of 1% of the Critical Level and the Critical Load.

The Shadow Habitats Regulations Assessment (Hopkins Ecology, August 2021) assesses the proposal in-combination with similar schemes and concludes that it will not significantly impact the qualifying features of the River Wensum SAC despite a process contribution slightly over 1% at two of the modelled receptor locations. Natural England concurs with this conclusion as the exceedance is small and would only impact a small part of the SAC.

TITLESHALL P.C.

No Comments Received

REPRESENTATIONS

Neighbours were consulted on 10-05-21, a notice was published in the press on 17-05-21 and a site notice was erected on 13-05-21. Three people wrote in objection to the application raising the following points:

- Concerns regarding increased HGV traffic through the village and local roads
- Concerns in respect to odour and noise
- Impact on the character and amenity of village
- Impact function of the roads with current roads narrow in width and in a poor state with limited/ inadequate passing places
- Inadequate junctions to cater for the associated traffic and will be a safety issue
- Unclear how changes to turning at the Raynham Road could improve visibility
- Question whether lorries will used the designated route
- There are already two poultry businesses within the village with associated heavy good vehicles

One person wrote in support of the application subject to full landscaping.

ASSESSMENT NOTES

1.0 Principle of Development

1.1 The application is for the development of a facility for the rearing of birds with external roaming areas. Policy EC 04 of the Breckland Local Plan (adopted 2019) permits employment uses in the countryside where it would be detrimental to local amenity if located in settlements, including general employment areas, which is the case for this development, subject to highways impact which is discussed at Section 2.0 of this report. The principle of development also accords with paragraphs 83 and 84 of the NPPF which seeks to support a prosperous rural economy.

1.2 The development would result in the loss of 7.07ha of either Very Good or Good to Moderate or a mix of both agricultural land which forms part of the best and most versatile agricultural land as defined by NPPF. Paragraph 174 of the NPPF sets out that planning decisions should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land. The loss of arable agricultural land is a negative of the proposal, however, overall is considered acceptable as the land will continue to be used for creation of food and 6ha of the application site (landscaping and roaming areas) can be easily returned to arable agricultural use should the development cease to operate.

2.0 Highways, Road Network and Parking

2.1 The application includes improvements to the site entrance to facilitate HGVs. Visibly splays of 4.5m x 168.6m to the south and 4.5m x 215m to the north can be achieved. The submission details that the development would generate per 12 week cycle: 12 HGV movements, 10 feed lorries, 8 vehicle movements at the end of the cycle associated with site clearance. In addition there would be staff car movements. The application proposes to route traffic away from Tittleshall village and instead northwards along Fakenham Road and then westwards along Raynham Road to reach A1065 and vice versa. Based on the above Highways have raised no objection and they recommend conditions for: visibility splays; delivery of the internal parking, turning roads etc; off-site highway improvement; and a HGV management plan. The off-site highways improvements are to the Fakenham Road/ Raynham Road Junction to the north of the application site including verge regrading and slab revetment installed.

2.2 Highways have recommended a HGV route which these vehicles must follow. This is not considered to be enforceable and therefore we recommend a modified condition encouraging HGVs to use a preferred route.

2.3 Concern has been raised by residents in respect of highways safety and capacity. However, on the basis of the nature of the use, submitted traffic generation details, availability of a satisfactory level of visibility, improvement to junctions to the north, and HGV preferred route it is not considered that the residual cumulative impacts on the road network is not considered to be severe and the application should therefore not be refused on these grounds, having regard to advice provided by paragraph 111 of the NPPF. No highway safety conflict has been identified, subject to conditions recommended by Highways.

2.4 The development provides concrete apron areas for the parking and turning of delivery vehicles. This is considered acceptable for the type of development.

2.5 The development is considered to comply with paragraph 110 and 111 of the NPPF and Policies TR 01 and TR 02 of the Breckland Local Plan (adopted 2019).

3.0 Design and Landscape Impact

3.1 The site extends to 7.07 ha and the application includes 3 large agricultural buildings creating a combined 4,305sqm external footprint. Their design is agricultural and functional in nature and walls and roof are formed from green painted metal cladding. The design of these buildings are considered acceptable for the proposed use, in a colour selected to minimise visual impact and with lower eaves to reduce massing. The design of the buildings accord with Policies GEN 02 and COM 01 of the Breckland Local Plan (adopted 2019).

3.2 The site benefits from hedges along the site boundaries which will provide screening. 71m of hedgerow to the north of the access will need to be removed to facilitate visibility splays, which is proposed to be replanted behind the vision splays. The application proposes a 7m to 14m width landscape area at the southern most part of the site and 29m to 114m width landscape area to along the eastern most part of the site. A woodland belt is proposed within this which extends all along the eastern and northern boundary and a separate woodland copse at the south-west corner.

3.3 The application is supported by a Landscape and Visual Impact Assessment which concludes:

"The Site is considered to make a positive contribution to landscape character and offer good visual amenity. Overall, the Site has been deemed to be of medium susceptibility to accommodate the proposed development. This is an established landscape where change of an appropriate nature could be absorbed without the loss of key characteristics, individual elements or features and specific aesthetic or perceptual aspects or, overall landscape character.

Overall, the significance of the landscape effects with regard to the proposed development has been assessed to represent a Slight Adverse Effect on the landscape resource and landscape character, as the proposals will see an agricultural landscape, changed to one associated with farm buildings involving new structures and hardstanding.

However, various mitigation measures are proposed, including the retention of existing boundary vegetation, setting back of poultry sheds from Fakenham Road, together with significant new planting which will provide a rural appearance to the Site in keeping with its rural farm and landscape setting on the plateau.

These mitigation measures respond to the suggested Landscape Management Guidelines contained within The Breckland District Landscape Character Assessment for the E9: Whissonsett Plateau. They also provide landscape benefits in terms of the increased level of vegetation that will help integrate the poultry sheds into the surroundings.

Once an appropriate landscape management scheme has established and the landscape mitigation proposals have established the significance of the landscape effects in the longer term are considered to represent a Neutral Effect to Slight Beneficial Effect on the landscape resource and landscape character.

The significance of the visual effect of the Proposals for the Site at completion are considered to range from Moderate to Slight Adverse Effect to Neutral Effect on views and visual amenity. The most significant effects occur for users of the Public Footpaths that cross the arable farmland to the east of the Site towards Godwick.

Once the landscape mitigation proposals have matured, the long-term visual effects would change and are considered to range from Slight Adverse Effect to Neutral Effect on views and visual amenity."

3.4 It is considered that the above assessment and conclusion of effects is accurate and these negative aspects of: short to medium term Slight Adverse Effect to the landscape and Moderate to Slight Adverse Effect on views and visual amenity; and the long term Slight Adverse Effect to Neutral Effect on views and visual amenity should be considered in the overall planning balance. The development is considered not to conflict with Policy ENV 05 or Section 15 of the NPPF.

4.0 Drainage and Flooding

4.1 The application site is in flood risk zone 1 which is at the lowest risk of flooding from rivers and sea. A ditch at the sites north-west corner is at risk of flooding from surface water. The proposed drainage solution is designed for the 3.33% Annual Exceedance Probability with 40% allowance for climate change and is to drain surface water to a swale which leads to an attenuation pond located at the north-east of the site which in turns outfalls into the drain to the north-east at a restricted greenfield rate. This results in clean water being stored on site during peak rainfall events and released into the drainage system at the greenfield runoff rate. The LLFA have not provided application specific comments and instead referred the LPA to their standing advice.

4.2 Infiltration has been demonstrated to not be viable with only one area being found to be suitable for infiltration with most of the site having clay deposits at shallow depths.

4.3 The proposed surface water drainage strategy is found to comply with Policy ENV 09 of the Breckland Local Plan (adopted 2019), Norfolk County Council's Lead Local Flood Authority Statutory Consultee for Planning Guidance Document October 2021.

4.4 Animal waste is proposed to be stored and used elsewhere on the farmland. The Environment Agency have not objected to this, however, this is also considered under the residential amenity section.

5.0 Ecology, Biodiversity, Emissions and Protected Sites

5.1 The site is a agricultural field boarded by hedges and contains a pond and woodland block.

5.2 The Ecology Assessment concludes that subject to their recommendations being implemented that the development will result in no net loss the biodiversity and no protected species populations would be harmed subject to the proposed landscaping mitigation and no disturbance to breeding birds. The Council's Ecological and Biodiversity Consultant has not objected in respect to biodiversity or protected species, subject to conditions requiring compliance with the Ecology Assessment in accordance with Policy ENV 02 of the Breckland Local Plan (adopted 2019).

Habitats Regulations Screening

5.3 The Local Planning Authority (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 under take the assessment is provided by the Applicant's submitted 'Shadow' Habitats Regulations Assessment (HRA) August 2021.

5.4 The site is 1.8km to the north from River Wensum Special Area of Conservation (SAC)(UK0012647). SACs are protected under The Conservation of Habitats and Species Regulations 2017 (as amended). The qualifying features for the SAC (UK0012647) are: Water courses of plain to montane levels with the *Ranunculus fluitans* and *Callitriche-Batrachion* vegetation (3260); White-clawed (or Atlantic stream) crayfish (1092); Desmoulin's whorl snail (S1016); Brook lamprey (1096); and Bullhead (1163).

5.5 The aspect of the development which could affect the SAC is the generation of ammonia emissions and nitrogen deposition. When considering whether a significant effect is likely, the Local Planning Authority as competent authority must consider in-combination effects with other development within a 10km distance from the European Site. The Applicant HRA identifies a live undetermined application for a dairy unit in Wellingham reference 3PL/2020/1484/F.

5.6 The development would not result in the 1% Critical Level (NH₃) and Critical Load (nitrogen) to be exceeded, however, in combination they do exceed these parameters. Thus it is not possible to rule out a significant effect and therefore, an AA is required.

Habitats Regulations Appropriate Assessment

5.7 The AA must be taken in consideration of the SACs Conservation objectives which are: ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

5.8 Natural England have been consulted and advised in their view a likely significant effect can be ruled out due to the process contribution being only slightly over 1% at two of the modelled receptor locations and that this is considered not to significantly impact the qualifying features of the River Wensum SAC. The Council's Ecological and Biodiversity have advised the submitted HRA is fit for purpose and that the scheme in isolation and in-combination with similar schemes will not significantly impact the qualifying features of the River Wensum SAC. The EA have not objected.

5.9 Based on the foregoing, the Council agrees with and adopts the submitted 'Shadow' Habitats Regulations Assessment (HRA) August 2021 as our Habitat Regulations Assessment.

5.10 Decision: An Appropriate Assessment has been undertaken, and a likely significant effect can be excluded and the integrity of the Habitat Sites will be maintained.

End of Habitats Regulations Assessment

5.11 The proposed development is within the Impact Risk Zones of the below listed Sites of Special Scientific Interest (SSSI) which are all sensitive to the impact of air pollution including ammonia.

- SSSI Horse Wood, Mileham
- SSSI River Nar

- SSSI River Wensum

5.12 The submitted Air Quality ammonia report details that at these SSSI sites the ammonia concentrations and nitrogen deposition from the development will be below 1% of the Critical Level and the Critical Load. A such Natural England and the Council's Ecological and Biodiversity Consultant have raised no objection. The application therefore does not conflict with Policy ENV 02 or paragraph 180 of the NPPF.

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

6.0 Trees and Hedges

6.1 No trees are required to be removed however 71m of hedgerow to the north of the access will need to be removed to facilitate visibility splays and this is proposed to be replanted behind the vision splays. A Hedgerow Survey has been provided which concludes the roadside hedgerow is not an Important Hedgerow under the Hedgerow

Regulations due to not meeting the ecological criteria. The Tree Officer has confirmed this is correct and does not object subject to suitable replacement.

6.2 Policy ENV 06 advises that significant hedge masses form part of the green infrastructure network and should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition, or there are exceptional and overriding benefits in accepting their loss. Development requiring the loss of a hedgerow will only be permitted where: a) it would allow for a substantially improved overall approach to the design and landscaping of the development that would outweigh the loss of any hedgerow. Where the loss of such features is demonstrably unavoidable, adequate replacement provision, preferably by native species will be sought.

6.3 As the hedgerow is not Important under the Hedgerow Regulations the council cannot prevent its loss and therefore partial removal is acceptable subject to appropriate replacement to be conditioned.

Furthermore, it has been demonstrated to be necessary to remove the 71m of hedgerow to provide visibility splays required for safe access. Having regard to these facts, the development accords with Policy ENV 06.

7.0 Residential Amenity

7.1 The submitted "A Dispersion Modelling Study of the Impact of Odour..." Report (Odour Report) details the nearest residential neighbours are located at Manorhouse Farm 265m to the south of the application site and then beyond that residential properties in Tittleshall approximately 480 m to the south of the proposed poultry houses.

7.2 The development proposes uncapped high speed roof mounted fans, each with a short chimney and this would where the primary source of odour would come from. The chickens would have access to ranging areas after three or four weeks, depending on weather conditions and some odour would arise from the manure deposited on the ranging areas. Peak odour emission rates are likely to occur when the housing is cleared of spent litter at the end of each crop. There is little available information on the magnitude of this peak emission, but it is likely to be greater than any emission that might occur when there are birds in the house. The time taken to perform the operation is usually around two hours per house and it is normal to maintain ventilation during this time. The Odour Report advises that there is usually some discretion as to when the housing is cleared of spent litter is carried out, however, in reality this is unlikely to be practical to wait until the wind is blowing away from residential properties.

7.3 The Odour report concludes that the odour levels at the nearest residential receptors and the Tittleshall PRoW FP1, 2 and 4 would be well below the Environment Agency's benchmark for moderately offensive odours (including Intensive livestock rearing), which is a 98th percentile hourly mean odour concentration of 3.0 ouE/m³ over a one year period, and is predicted to be below 1.5 ouE/m³ over a one year period, and this is visualised Figure 6 of the Odour Report. The Environment Agency and Council's Environmental Health Officer have not disputed the findings of the Report and raised no objection, with the latter recommending conditions to control odour including limiting maximum odours levels at nearest residential properties.

7.4 No Noise Report is provided with the application. However, the development is sufficiently distant to give rise to unacceptable impacts in this regard. Environmental Health has recommended a condition to limit maximum noise levels at the nearest affected residential properties boundaries.

7.5 Another aspect of the development which could negatively impact residents is external lighting. To this end, it is recommended that external lighting is controlled by way of condition. This would also have a ecological and landscape benefit.

7.6 The Council's Environmental Health Officer have raised no objection subject to conditions as discussed above plus further conditions to control flies and dead bird containment

7.7 The impact to residential amenity is found to be acceptable, and controls to ensure the the development is appropriately managed in relation to noise and odour will be secured through condition. The development therefore accords with Policy COM 03 and paragraph 130 of the NPPF.

8.0 Historic Environment and Archaeology

8.1 A Scheduled Ancient Monument (Deserted Village, Godwick) is located 722m to the east of the site. The site has existing screening from hedges and the building are set back within the site, which together with the distance from the Scheduled Ancient Monument no impact is anticipated including to the setting.

8.2 Tittleshall Conservation Area is located 565m to the south. Grade I Listed St Mary's Church is 625m to the south-east of the application site. Three grade II Listed buildings/ structures are located 831 - 1,134m to the east. For the same reasons, no significant environmental impact to the Listed Building or Conservation or their settings is expected. The council's Historic Building Officer has raised no objection to the application.

8.3 NCC Historic Environment Officer has been consulted and advised that based on currently available information the proposal will not have any significant impact on the historic environment and they did not recommend any archaeological work.

8.4 The development is found to cause no harm to designated or non-designated heritage assets and complies with Policy ENV 08 of the Breckland Local Plan (adopted 2019).

9.0 Contaminated Land

9.1 The Contaminated Land Officer has been consulted and it is recommended to apply any conditions which they advise are necessary to ensure compliance with Policy COM 03 of the Breckland Local Plan (adopted 2019).

10.0 Planning Balance and Conclusion

9.1 The principle of development of an intensive rearing poultry unit in the countryside away from any settlement accords with Policy EC 04 of the Breckland Local Plan (adopted 2019) and paragraphs 84 and 85 of the NPPF due to its incompatibility with residential or employment areas.

9.2 The highways impacts of the development including road capacity and safety have found to be acceptable subject to junction improvements controlled by way of planning condition resulting in compliance with paragraph 110 of the NPPF and Policies TR 01 and TR 02.

9.3 The development is for 3 large agricultural buildings and hardstanding and due to their rural location, scale, design, materials including colours, existing boundary screening by hedges there will be a short to medium term Slight Adverse Effect to the landscape and Moderate to Slight Adverse Effect on views and visual amenity. In the longer terms once the proposed landscaping including woodland border has matured the harm will be reduced to a Slight Adverse Effect to Neutral Effect on views and visual amenity. Whilst there is some harm, there are limited sites in Breckland which could be developed which would have no harm to character and appearance of the countryside whilst also being acceptable in other planning considerations. On balance the landscape and visual harm is outweighed by the economic benefits of the development, subject to mitigation landscaping planting.

9.4 The development has been found to cause negligible harm to protected species, biodiversity, national sites or European sites, having undertaken a Habitats Regulation Assessment, subject to conditions. The development is thus compliant with Policies ENV 02 and ENV 03 of the Breckland Local Plan (adopted 2019) together with Section 15 of the NPPF.

9.5 The development requires 71m of hedgerow to be removed to provide necessary visible splays for road safety. The hedgerow is not Important under the Hedgerow Regulations and thus the Council cannot prevent it being removed. Subject to suitable replacement the development accords with Policy ENV 06 of the Breckland Local Plan (adopted 2019).

9.6 Harm to residential amenity will be within acceptable parameters in particular with regard to noise, odour and light, subject to conditions and resulting in compliance with Policy COM 03 of the Breckland Local Plan (adopted 2019) and paragraph 130 of the NPPF.

9.7 Having regard to the above, the application is found to be acceptable and is recommended for approval subject to conditions.

RECOMMENDATION

The application is recommended for approvals subject to the conditions listed below.

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 retained 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

Stocking Density

No more than 40,000 birds shall be stocked/ reared at any one time at the development hereby approved. No other livestock will be kept/ reared at the development site.

Reason for condition:-

To prevent harm to River Wensum Special Area of Conservation (SAC)(UK0012647) and SSSI's Horse Wood, Mileham, River Nar and River Wensum Ammonia Emissions and Nitrogen deposition having regard to The Conservation of Habitats and Species Regulations 2017 (as amended), Policies ENV 02 and ENV 03 together with Section 15 of the National Planning Policy Framework 2019. Increasing the stocking density would require a re-assessment by the Local Planning Authority.

4

HGV Route (pre-com)

Prior to commencement of development hereby approved a HGV Management Plan including Signage Details to encourage HGV and larger vehicles associated with the development to use a preferred local road route to be approved, shall be submitted to and approved in writing by the Local Planning Authority. The approved signage shall be erected prior to first use of the development hereby approved and the HGV Management Plan implemented during the construction period and on first use of the development hereby approved and thereafter adhered to in perpetuity. The HGV Management Plan shall include details of:

- A preferred local road route which avoids Tittleshall village
- Temporary Construction and Permanent Signage design, text, size and positions to direct HGV and larger vehicles to use the preferred local road route
- A method and recording system of informing all drivers of HGV and larger vehicles under the control of the site operator, including those from external companies with contracts with the site operator, to be made aware of the approved preferred local road route and directed to adhere to it
- Monitoring arrangement by the site operator of the compliance with the preferred local road route
- A Maintenance of a Monitoring Log which shall include no less than 24 months of the most recent preferred local road route monitoring data and shall be made available to the Local Planning Authority on request, within 14 days.
- Frequency of assessing monitoring data by the site operator

Reason for condition:-

Details required prior to commencement in the interests of maintaining highway efficiency and safety and reduce disturbance to residential properties having regard to Policies COM 01 and TR 01 of the Breckland Local Plan (adopted 2019) and paragraphs 110 of the National Planning Policy Framework 2021. 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

5 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.

Reason for condition:-

Details are required prior to commencement to ensure that the land levels are not built above that needed to prevent internal flooding, for the visual benefit of the character and appearance of countryside and local vistas having regard to Policy ENV 05 and paragraph 170 of the National Planning Policy Framework 2021.

This condition will require to be discharged

6 Off-Site Highways Improvements (foundation)

No development above the laying of foundations shall take place until detailed drawings for the off-site highway improvement works as indicated on Drawing No.C1101 P2 have been submitted to and approved in writing by the Local Planning Authority.

Prior to the first use of the development hereby permitted the approved off-site highway improvement works shall be completed in full.

Reason for condition:-

In the interests of highway safety having regard to Policy COM 03 of the Breckland Local Plan (adopted 2019) and paragraph 110 of the National Planning Policy Framework 2021.

7 Planting Scheme (foundation)

Prior to development commencing above the laying of foundations a detailed landscaping and planting plan which accords with the 2323 Landscape Strategy Plan dated April 2021 shall be submitted to and approved in writing by the Local Planning Authority and shall include replacement hedge planting to compensate for the 71m required to be removed, plant and tree species, spacing, size of whips and timetable for planting and management and maintenance plan. Once the landscape scheme has been planted/ completed it shall be maintained in accordance with the approved maintenance plan any trees or plants which die or becomes diseased within 5 years of planting shall be replaced in the next planting season.

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. This condition is imposed Policy ENV 05 of the Breckland Local Plan (adopted 2019) and Section 15 of the National Planning Policy Framework 2021.

This condition will require to be discharged

8 Full details of external lighting (prior to installation)

No external lighting shall be erected unless or until full details have first been submitted to and approved in writing by the Local Planning Authority. The details shall include a lighting plan indicating luminance levels both on the site and beyond, and a schedule of equipment including mounting heights. Such lighting shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiation. 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).

This condition will require to be discharged

9

Chimneys

The chimneys details in the approved elevations shall be installed and made fully operational in accordance with the approved A Dispersion Modelling Study of the Impact of Odour... Report dated 17th October 2019, prior to first use of the development hereby approved.

Reason for condition;

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

10

Flies

Fly numbers within all of the sheds must be monitored twice weekly between April and October and once weekly at all other times. Records should be kept of all fly control activities including monitoring records and treatment details and made available to Environmental Protection Officers in the event of a complaint. Any identified increase in fly numbers should be addressed within 24 hours in line with current best industry practice.

Reason for condition;

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

11

Dead birds

All dead birds must be stored in rodent proof containers with sealed lids if disposal does not occur immediately.

Reason for condition:

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

12

Noise

Noise from the development measured as an LAEQ (or equivalent continuous sound level) shall not exceed 5dBA over the background noise level measured as an LA90 (level exceeded 90% of the time) on the boundary with the nearest affected residential properties. The LA90 and LAEQ shall be measured using the principles contained in BS 4142:2014+A1:2019 and shall be measured over 1 hour between the hours of 7am and 7pm and over 15 minute periods between the hours of 7pm and 7am. All measurements to be taken with a sound level meter of IEC 651 Type 1, or BS EN 61672 Class 1, standard (or the equivalent relevant UK adopted standard in force at the time of the measurements) set to measure using a fast time weighted response. This should be calibrated in accordance with the procedure specified in BS 4142:2014+A1:2019 (or the equivalent relevant UK adopted standard in force at the time of the measurements).

Reason for condition:-

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

13

Odour

The development hereby approved shall not result in odour exceeding 3ouE/m3 at the boundary with the nearest affected domestic property.

Reason for condition:

In the interests of the amenities of the area and local residents in accordance with Policy

COM3 of the Breckland Local Plan (adopted 2019).

14 Non-standard drainage condition

The development shall be undertaken in complete accordance with the approved Flood Risk Assessment & Drainage Strategy Revision B dated 25th August 2020 (FRA) 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 Management and Maintenance Plan incorporated into the approved FRA.

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.

15 Ecology Report Compliance

The development hereby approved shall proceed in accordance with the recommendations detailed in the Ecological Assessment including a Shadow Habitats Regulations Assessment (Hopkins Ecology; April 2021) including mitigation measures outlined in section 8.5, the key points of the scheme outlined in section 8.3 and Figure 3 and the ecological enhancement measures outlined in sections 8.6-8.8.

Reason for condition:-

To ensure wildlife on site is not harmed during construction works and to enable a net gain in biodiversity having regard to Policy ENV02 of the Breckland Local Plan (adopted 2019).

16 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.

17 visibility splays

Prior to the first use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05 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 110 of the National Planning Policy Framework 2021

18 parking and access delivery

Prior to the first use of the development hereby permitted the proposed access parking/servicing/loading/unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan 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 Policy COM 03 of the Breckland Local Plan (adopted 2019) and paragraph 112 of the National Planning Policy Framework 2021.

19 Manure Disposal

No animal waste or waste water from the development hereby approved shall be spread or disposed of within 200m of a residential property unless or until a Odour Report has first been submitted to approved in writing by the Local Planning Authority which demonstrates that the odour impact to residential properties would not cause unacceptable harm to their amenity.

Reason for condition:-

To prevent unacceptable levels of odour to residential properties in the local area and pollution of ecological systems and water systems This condition is applied having regard to Policies COM 03 of the Breckland Local Plan (adopted 2019).