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Dear Sir/Madam

**Representations to Babergh and Mid Suffolk District Councils' Intensive Livestock and Poultry Supplementary Planning Document- Various Sites on behalf of Amber REI**

I am writing on behalf of our clients, Amber REI (hereafter the "client") in response to the above consultation on the District Council's Intensive Livestock and Poultry Supplementary Planning Document (hereafter the "SPD") and in particular having regard to our client's land interests, having interest in numerous intensive poultry farms across the District.

**Introduction**

The Introduction of the SPD sets out that its purpose is to supplement the Joint Local Plan Policy LP14 by providing supplementary information on the issues and considerations that are of relevance to the determination of intensive livestock and poultry farm applications. It also provides detailed information and advice based on established food practice for assessing the impacts of new and/or expanded livestock and poultry uses.

Amber REI are the largest owner of poultry farms in the UK, providing the farming base for seven processing facilities across East Anglia, which produce chickens for 2 Sisters Food Group and Banham Poultry, as well as Turkeys for Bernard Matthews, and in turn forming part of an organisation which is one of the largest employers within the Region.

Whilst the principle of the SPD is supported, there are concerns that it does not actively meet with the purpose of Policy LP14 which recognises the importance and supports development of Intensive livestock and poultry farms. Policy LP14 sets out that proposals for both new, and extensions to existing, intensive livestock and poultry units and associated structures and facilities for the storage and disposal of waste will be permitted subject to a number of criteria in relation to the siting, design, materials used (including lighting) and methods of operation. Rather than taking a



balanced approach to the proposed development of intensive livestock and poultry farms, the SPD adopts an overall negative tone in relation to the environmental and amenity impacts of this form of intensive agri-farming. This is despite paragraph 1.1 of the SPD acknowledging that *'Babergh and Mid Suffolk are predominantly rural districts and therefore agriculture plays an important role in the area, both contributing to the economy and shaping the environment'*.

Furthermore, the SPD focuses on the adopted Joint Local Plan Policy LP14 'Intensive Livestock and Poultry Farming' and in turn places particular emphasis on the impact of intensive livestock and poultry farming on the amenity of existing residential homes. However, the SPD fails to set out any clear thresholds/development criteria for proposed residential development in having regard to the proximity of existing livestock and poultry farms, when the issues of conflict remain the same in either context.

However, of greater concern, the SPD fails to acknowledge the opportunities arising through the redevelopment of existing poultry farms. Modern replacement agricultural buildings and associated modern technology, have the ability to deliver numerous benefits particularly when replacing older obsolete forms of buildings and other agricultural practices. This includes environmental improvements, including air quality/reducing ammonia emission, additional planting/landscape strategies and water resource management for example; operational and economic benefits; and enhanced working environment/animal welfare conditions. These positive attributes should be fully recognised as having the potential to provide a number of benefits in the SPD rather than the adverse impacts of the agricultural industry as currently written.

In placing an emphasis on 'detrimental' and 'negative' impacts of intensive poultry farming rather than the opportunities and benefits associated with the use, there is concern that the SPD fails to address the policies of the Joint Local Plan, economic strategies at a regional level nor is it compatible with the provisions of national planning policy and legislation in supporting a prosperous rural economy and in particular agricultural economic growth and diversification.

Our further detailed comments are addressed below.

#### The wider policy context

In terms of the 'wider policy context' the SPD, whilst placing an emphasis on the Babergh and Mid Suffolk Part 1 Joint Local Plan (JLP) Policy LP14 the SPD should also have regard to assessing development against the policies of the Joint Local Plan as a whole. The Joint Local Plan identifies Key Economic Issues for the district, identifying projected growth sectors in the area as including food production. This includes intensive livestock and poultry farming. The 'Vision and Objectives' of the JLP continues to set out the economic objective to, *'Encourage the development of employment sites and other business growth, of the right type, in the right place and encourage investment in infrastructure, skills and innovation in order to increase productivity'*. This should be emphasised within the SPD as a key consideration in the determination of any proposed development for new and extended intensive livestock and poultry buildings/units. Although relevant development management policies of the JLP are referenced through the SPD these should also be clearly identified within this section of the SPD.



The SPD also fails to make reference to national policy provisions, in particular in *'supporting a prosperous rural economy'*. NPPF Paragraph 88 is clear that *'Planning Policies and decisions should enable the development and diversification of agricultural and other land based rural businesses'*. In addition, at NPPF Paragraph 89 it continues that *"Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport'*. It continues to set out that *'The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist'*. This again should be highlighted as a key consideration in the determination of proposed development for new and existing intensive livestock and poultry farm buildings.

With regards to the Agricultural Industry and the intensive livestock and poultry farm sector, the Department for Environment Food and Rural Affairs (DEFRA) have recently published the 'Code of Good Agricultural Practice (COGAP) for Reducing Ammonia Emissions'. This provides up to date national guidance for reducing ammonia emissions produced in collaboration with the farming industry. The SPD currently makes no reference to DEFRA's up to date national guidance which should be used as the basis on which to inform the content of the SPD in relation to good practice and in particular the reduction of ammonia emissions.

The SPD also fails to identify relevant policy context at a regional level, with the latest Norfolk and Suffolk Economic Strategy 2022 (East Anglia Local Enterprise Partnership for Norfolk and Suffolk) recognising the importance of Agri-food to the economic stability/growth of the region with agricultural business making up 9% compared to 4% nationally, and significant changes both in social and economic terms presenting challenges within the sector. This includes intensive poultry farming, with 17.6% of the UK's poultry production being based within the region. It sets out that *'the region plays a vital role in UK food production. But the sector is undergoing the greatest changes within living memory – farming subsidies, trade arrangements, climate change and labour shortages. Businesses need specialised support as they adapt'*.

The Strategy, agreed in collaboration with local partners (including both businesses and local authorities) sets out that;

*'Our ambition is to transform our economy into a globally recognised, technology-driven and inclusive economy which is leading the transition to a zero-carbon economy through sustainable food production, clean energy generation and consumption and digital innovation; becoming one of the best places in the world to live, work, learn and succeed in business'*.

To address the challenges agricultural businesses face, the strategy highlights the support businesses will require to *'adapt, transition and flourish'*. It continues to highlight the need for cross collaboration and alignment across public and private organisations;

*'This Economic Strategy is the blueprint for how local authorities, businesses large and small, business support organisations, Voluntary Community and Social Enterprise (VCSE) organisations, colleges, universities, independent training providers and the Local*



*Enterprise Partnership (LEP) will work together, aligning relevant actions and investment, to build a cleaner, stronger and more productive economy where everyone benefits”.*

Given the economic importance of intensive livestock and poultry farms to the economic growth of the district as well as the UK’s agri- food industry, it is essential that agricultural landowners, in accordance with the provisions set out within national policy and alongside the objectives of the JLP and provisions of JLP Policy LP14, supports the development/improvement of this agricultural sector through positive and effective engagement with applicants, encouraging the delivery of enhanced facilities which offer both environmental and operational/economic benefits. As currently written however, the SPD fails to align with the objectives of the Joint Local Plan and provisions of national policy and regional economic strategies in supporting agricultural landowners/farmers to enhance and develop existing farms.

Currently there is an emphasis on the negative impacts of intensive livestock and poultry farming on the environment rather than the managed and sustainable development of these farms. In particular, the use of emotive language through the SPD has the ability to ostracize further agricultural/poultry farm landowners and in turn making obtaining the necessary planning permissions for new development an extremely difficult process. The SPD should instead take a balanced approach to the development of intensive livestock and poultry farming. This includes the economic importance of the sector and the opportunities development offers in improving amenities of local residents and the environmental and biodiversity impacts; as well as the potential impacts which must be carefully addressed through the planning applications process.

Greater emphasis should also be placed throughout the SPD on the need to protect established farms and their long-term operational capabilities, ensuring sufficient offset distances between any new residential development proposals and existing farms. This will give existing farms the flexibility to extend and evolve/redevelop as required in order to meet operational, as well as other agricultural and environmental legislative requirements.

The SPD should therefore be reviewed to readdress the approach currently taken and ensure it aligns with wider economic policy ambitions and does not restrict appropriate development coming forward through a difficult and prolonged planning process. In particular, emphasis on the submission of information (to be agreed by external bodies) at the pre application stages should be removed. There is clear guidance/legislative requirements in place which need to be adhered to within the industry and which set clear parameters for development. Whilst Amber REI supports pre application engagement proportionate to the scale of development proposed, this does not require giving the ‘approval’ of an approach, especially with external bodies outside the control of the Council. This places additional and unnecessary financial burdens, not to mention unnecessary delays to the application process and the delivery of necessary agricultural buildings and associated agricultural infrastructure at farms.

### Permitted Development

To reflect this position, changes to the permitted development rights of agricultural uses and buildings were introduced following the enactment of the Levelling Up, Housing and Communities Bill, with numerous updates to permitted development rights through the Town and Country



Planning (General Permitted Development etc) (England) (Amendment) Order 2024 (“GDPO”), which came into effect in May of this year.

To ensure the reader (including applicants/landowners, members of the public and officers) is accurately informed in relation to any development coming forward associated with ‘intensive livestock and poultry farming’, it is important that the SPD makes reference to the latest permitted development rights applicable to agricultural buildings.

This includes amendments to Schedule 2, Part 6 of the GDPO allows for larger agricultural buildings and extensions to be erected, the purpose of which to allow farmers to respond to changing agricultural practices. Of relevance to intensive agricultural farms, Part 6 Class A includes allowances (subject to a number of criteria) to increase the ground area limit of new buildings or extensions erected on farms over 5 hectares in size from 1,000 square metres to 1,500 square metres. Provisions to increase the cubic content limit of an agricultural building has also been extended further to 25% above the original building cubic content (from the previous 20% increase). In addition, the amendments to the permitted development rights have allowed for further diversification/changes of use to agricultural uses/buildings including redevelopment/conversion for housing, commercial, recreational/leisure, offices and employment (storage/distribution) uses which must be given due consideration when assessing applications for development at existing farms

#### Joint Local Plan Policy LP14 Guidance

Joint Local Plan Policy LP14 sets out a list of criteria for proposals for both new, and extensions to existing intensive livestock and poultry units and associated structures and facilities for the storage and disposal of waste. The purpose of the policy is to support (where appropriate) such development, subject to the siting, design, materials used and methods of operation. The supporting policy text acknowledges that ‘*strong rural economies are essential in creating and sustaining vibrant rural places and communities*’ and that ‘*intensive livestock and poultry farming are a large component of the agricultural industry in Babergh and Mid Suffolk*’.

The SPD expands on each of the ‘criteria’ identified within Policy LP14, with comments provided on each of these sections further below:

#### **1) LP14 (1) [a] – serve to protect the amenity of residential properties.**

When referring to potential impacts reference to ‘*negative general nuisance*’ (paragraph 5.2.2 and 5.2.4) should be removed as this is unnecessarily negative and non specific with regards to the types of development it relates to. To ensure clarity for the reader this should be revisited and amended to read as follows:

*“The amenity of residents adjoining and within the immediately surrounding area should be carefully considered ensuring any adverse impacts are minimised where proposed new farms/expansion of existing farms”.*



Consideration should also be given to the proximity of any proposed housing developments to existing farms, ensuring sufficient distance to ensure no impact on the amenities of residents as well as the future operations/viability of farms, including the ability to expand existing operations/buildings where required.

#### Air Quality/Odour

The SPD continues to set out the impacts of Ammonia and Air Pollutants. Rather than placing emphasis on the negative impacts of excess gases and particulates, the SPD should also refer to good practise and the management of farming operations. Greater emphasis should be placed on both national and regional legislation/regulations and the opportunities which new development presents, not only in economic terms but also from an environmental perspective.

New agricultural buildings, including the redevelopment/improvement of existing buildings provides the opportunity to introduce modern technology and sustainable construction and working practices. This includes the opportunity to reduce levels of Ammonia and particulates being released into the atmosphere and in turn enhance air quality. The SPD should support new development ensuring the reader (inc members of the public and officers/members) are informed in relation to the benefits of new development. Furthermore, whilst it is acknowledged that although intensive indoor rearing of pigs and poultry contributes to ammonia emissions, this covers only a small proportion of total ammonia emissions (*The Air Quality Strategy for England, Scotland, Wales and Northern Ireland, Volume 1, DEFRA, July 2007*).

Natural England's guidance on 'Reducing Agricultural Emissions' is included at Appendix 2 of the SPD. It is unclear however why emphasis is placed on this guidance and not the up to date national guidance published by DEFRA, 'Code of Good Agricultural Practice (COGAP) for Reducing Ammonia Emissions' (1 January 2024). The SPD currently makes no reference to DEFRA's guidance which should be used as the basis on which to inform the content of the SPD. This should be reviewed to ensure the SPD is consistent with this national guidance.

Paragraph 5.2.7 emphasises the impacts on 'air pollution' and 'human health' however fails to recognise the other benefits associated with new development. New farms in the sector, often include renewable energy sources provided on site including biomass plants and CHP to heat poultry units. The farms themselves reuse waste products to create new energy sources, which can reduce overall energy use, reduce CO<sup>2</sup> emissions and result in more sustainable development. Rather than focusing on the negative impacts of 'pollutants' the SPD should be revisited to acknowledge the sustainable benefits of on site renewable energy, whilst also ensuring carefully managed/regulated combustion processes.

Rather than simply focusing on adverse impacts of farms the supporting text within the SPD should highlight the emission mitigation and reduction methods identified at Appendix 2 which can be introduced through new development, with benefits to the environment inc



air quality and biodiversity value, animal welfare and health, and enhanced working environments.

At paragraph 5.2.7 the SPD sets out *'helpful guidance to local authority officers as well as developers in considering air pollutants'*. This includes Shropshire Council's 'Ammonia Guidance'. Again, there is no reference made here to DEFRA's 'Code of Good Agricultural Practice (COGAP) for Reducing Ammonia Emissions' 2024 guidance. Rather than referring to another local authority's guidance, the SPD should refer to good practice identified within the DEFRA and other relevant guidance and apply this to local circumstances, providing clear and informative guidance for proposed development coming forward within the district, rather than being vague and emotive, with no clear thresholds for development.

In addition, the SPD fails to make reference to Natural England's and the Environment Agency's Air Quality Risk Assessment Interim Guidance (referenced later in the SPD at paragraph 5.2.8), which sets out guidance in relation to Habitat Regulation Assessment sites. The SPD also fails to include reference to the District's Air Quality Annual Status Report (July 2023). This sets out that further consideration is being given to working with the agricultural sector in relation to ammonia and secondary particulates to ensure suitable actions can be implemented across Suffolk. Suffolk County Council's Air Quality Strategy and Action Plan (May 2023) also identifies a number of actions to improve air quality within the region, including of relevance to agricultural uses, the delivery of biodiversity net gain and enhanced green infrastructure with tree/hedgerow planting via new development/planning applications.

Whilst it is acknowledged that the Environmental Permitting Regulations regulated by the Environment Agency are in addition to, and separate to the planning development management process, it is important that the LPA have given full consideration to the regulations to avoid any unnecessary duplication and to ensure the requirements of the SPD do not conflict with the requirements of the Environmental Permitting Regulations and risk essential agricultural infrastructure being delivered within the district.

The Regulations along with EA's guidance on how to comply with environmental permits of Intensive Farming Use are referred to intermittently throughout the SPD but as acknowledged at paragraph 5.6.5, these regulations and associated guidance *'describes the standards and measures we expect intensive pig and poultry farms to take in order to control the risk of pollution to air, land and water'*. It continues that reports/assessments of proposed management, operations, emissions and monitoring should be undertaken in accordance with this guidance. As currently written this guidance is only referenced within the SPD in the context of Policy LP14(1)[e] on waste management and disposal. Greater emphasis should be given to the regulations/EA guidance and whilst this relates specifically to environmental permits, it should provide the technical baseline for the SPD in relation to the management of air, water and land pollution, alongside other cumulative planning amenity considerations and this should be emphasised throughout the SPD.

In relation to 'odours' the SPD at paragraphs 5.2.10 – 5.2.11 assumes development will automatically cause adverse impacts, rather than referring to 'potential' impacts. As



currently written this section of the SPD is vague/non-specific in relation to separation distances between farms 'sensitive receptors', as well as setting out details relating to acceptable control and mitigation measures, despite Policy LP14(4) identifying that residential buildings or other sensitive land uses within a distance of 400m of established poultry units should be given special consideration. It is unclear why 'office development' has been included as a 'sensitive receptor' within the SPD and this should be removed. Permitted development rights for agricultural buildings allows for the change of use to offices and therefore this can not be seen as a sensitive receptor use.

In addition, whilst the SPD sets out that developments *'are likely'* to require an odour impact assessment, Paragraph 5.2.16 is vague and provides no clear thresholds, setting out that *'different types of development will require different thresholds for requiring the odour assessment'*. The purpose of the SPD is to expand upon and provide clear guidance on the requirements of Policy LP14 which it currently fails to achieve.

The SPD should therefore be revisited to ensure it is clear and factual in relation to managing air quality, including clear thresholds which support applicants in the preparation and submission of applications consistent with national policy and regional economic and environmental strategies and in particular the Joint Local Plan as a whole.

#### Noise

Paragraph 5.2.20 recognises that *'as with other amenity impacts there may also be opportunities to make improvements to the acoustic environment'*. This is supported, however as identified above, the opportunities arising from development and the ability to mitigate and manage any adverse impacts (alongside having regard to the existing agricultural uses/existing levels of amenity experienced by neighbouring residents) should be emphasised not only at Paragraph 5.2.21 in relation to noise, but also with regards to air quality etc earlier within the SPD.

#### Light pollution

Paragraph 5.2.26 refers to 'light pollution' however rather than setting clear parameters in relation to the impact on 'residential amenity' in line with the provisions of LP14, reference is made to 'intrinsically dark landscapes' and the impact on wildlife. This section of the SPD should be revisited to address the departure from Policy LP14.

The presence of existing intensive poultry farms will contribute to the character of an area in terms of the levels of amenity currently experienced by residents. It is important that the SPD acknowledges this and stipulates that *'where possible'* lighting will be kept to a minimum providing existing farms in particular the flexibility to operate effectively.

At Paragraph 5.2.27 recognition should be given to both the operational and health and safety requirements of intensive poultry farms in terms of the lighting, and where an area is characteristic of existing farms and other built development.



The supporting text at Paragraph 5.2.28 is repetitive and should be deleted.

## 2) LP14 (1) (b) –protect sensitive environmental receptors

### Ammonia and Nitrogen

This section of the SPD continues to be particularly negative. As identified earlier within these representations, ammonia emissions and particulates associated with poultry farming only forms a small proportion of overall ammonia emissions.

Paragraph 5.3.6 is unnecessary and should be deleted. Reference to the ‘consideration of direct and indirect impacts’ when proposing new development, should instead be included at Paragraph 5.3.5.

Paragraph 5.3.7 sets out that in terms of emissions of ammonia, ‘Assessments will need to be completed for extensions and/or changes to existing sites as well as new development’. As set out above, in relation to air quality considerations, clear thresholds for development requiring assessments (inc. when the use of the ‘Simple Calculation Atmospheric Impact Limits’ model would be applicable, as referenced at Paragraph 5.3.9) should be included here given this will not relate to all types/scales of development. It is also unclear whether this assessment should be a standalone assessment or incorporated as part of the required air quality assessment. Further clarification should be provided here within the SPD.

In addition, emphasis should be given here to the potential benefits of proposed development including, new and replacement buildings/extensions, technology and associated work practices in reducing levels of ammonia emissions.

- Reduced emissions through the inclusion of landscape buffers, capturing pollutants, dust and particulate matter having benefits for both the environment and human health
- Improved soil structure/ability to hold nutrients leading to air quality benefits and in turn added biodiversity value.
- Renewable energy sources including biomass plants and CHP to heat poultry units, reusing waste products to create new energy sources.
- Enhanced working environment and animal welfare.

The SPD should be updated, highlighting the above benefits/opportunities of proposed development, with a particular emphasis on replacement buildings including modern agricultural build techniques specific to meet the operational requirements of livestock housing. i.e. incorporating indirect heating solutions, contemporary operational practices on storage of waste and rainwater harvesting/recycling.



The SPD continues to set out that the methodology and baseline for the ammonia and nitrogen assessment should be approved by the LPA through consultation with Natural England as part of the pre-application process. In our view there is no basis for this approach which usurps the determination process for a planning application. Whilst Amber REI supports pre application engagement, this does not require giving the 'approval' of an approach, especially with external bodies outside the control of the Council. It would not be unusual to be informed that bodies, such as Natural England, have a lead in time of many months just to secure some forms of engagement never mind gain 'approval'. This element should be deleted.

To support businesses and the need for rapid change within the industry, it is important that the SPD does not place any further unnecessary delays and improvements can be brought forward as soon as possible.

#### Biodiversity Net Gain

Amber REI are supportive of the need to address net losses to Biodiversity through biodiversity enhancement measures and to deliver overall net gain. This is consistent with Policy LP16 of the adopted Joint Plan. The Council's policy requirement to deliver 10% Biodiversity Net Gain is also reflective of the Environment Act. The SPD should be updated to reflect latest mandatory requirements under Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021)) as a point of clarity.

Recognition should also be given to the opportunities that proposed development via the planning process offers in enhancing the biodiversity value of existing farms. The introduction of habitat and hedgerow net gains also has additional benefits, with planting also contributing towards improved air quality/capturing air particulates, for example, as identified earlier in these representations.

### **3) LP14 (1)(c) – consider and address the impact on the water resources and the capacity of the water supply infrastructure network.**

It is essential that new development makes efficient use of water resources and where possible and necessary, contributes to water quality enhancements. Although water is supplied from groundwater abstracted from boreholes, there is also the opportunity to introduce water recycling measures, such as rainwater harvesting and grey water recycling, with new developments incorporating water storage ponds, including filter and pumping systems to enable reuse.

New developments also offer the opportunity to introduce where required, appropriate Sustainable Drainage Systems (SuDS), including reed bed treatment systems, contributing to water quality through filtration, a reduction in ammonia emissions and the elimination of smells, as well as providing excellent habitats.



The SPD at Paragraph 5.4.4. sets out that the methodology and baseline for the assessment of the necessary Water Supply Management Statement should be agreed with the Environment Agency and the relevant water company.

The purposes of the SPD should be to provide guidance in relation to the provisions of Policy LP14 whilst also adequately supporting the Intensive Livestock and Poultry farming industry. The SPD should therefore include general methodology guidance for assessments to adequately inform the applicant and avoid unnecessary delays in delivering improvements to farms via development proposals. Requiring information to be submitted at the pre application stages adds unnecessary delays and cost to the application process which should be avoided. In addition, delays in improving existing operations and obtaining the necessary environmental permits has implications for the viability of businesses along with associated economic impacts for the local area/district. The inclusion of detailed methodology guidance within the SPD would negate the need for pre application engagement.

As set out previously, whilst Amber REI supports pre application engagement, this does not require giving the 'approval' of an approach, especially with external bodies outside the control of the Council. This should therefore be deleted.

**4) LP14 (1) (d) demonstrate that there will be no significant effects upon sensitive environmental receptors from air pollutants/**

Reference should be made within the SPD to earlier representations in relation to air quality and ammonia emissions. Again, it is unclear why consultation is required at the pre applications stages with Natural England in relation to the modelling methodology. Is this something Natural England have specifically requested and do they have the resources to undertake pre application consultation on all applications without causing significant delays. The SPD should instead include clear parameters/thresholds for applicants.

**5) LP14 (1) (e) – demonstrate adequate provision has been made for the management and disposal of water.**

The Norfolk and Suffolk Economic Strategy (prepared the New Anglia LEP) sets out that Local Partners will work together to promote the economic, environmental and social potential and qualities of Norfolk and Suffolk *'Working with Water Resources East to develop a Regional Water Management Plan with linked initiatives to manage resources and improve quality, with particular focus on agri-food'*.

As previously highlighted, whilst paragraph 5.6.3 sets out that waste management is to be considered at the planning applications stages, the details of the Waste Management Plan (as required by the SPD) should not simply duplicate the requirements of the Environmental Permit. Reference should therefore be made here within the SPD to the 'latest' Environmental Permit Regulations and associated EA guidance to ensure LPA Officers give due regard to the requirements of the Regulations/EA guidance when considering/approving any waste management plans necessary in the context of a



planning application. The SPD should not duplicate the requirements of the Regulations/EA guidance for risk of conflicting with and not being consistent with current regulations and any subsequent updates post adoption of the SPD.

**6) LP14 (1) (f) – serve to minimise visual and landscape impacts.**

As highlighted throughout these representations, emphasis is given to the ‘adverse’ and detrimental’ impacts of intensive and livestock farming. At 5.7.1, again rather than development having ‘*the potential to have a detrimental impact on the landscape....*’, the SPD should be amended to read ‘*Consideration should be given to impact on the landscape...*’.

Policy LP17 of the Part 1 Joint Local Plan identifies policy requirements for development to conserve and enhance landscape character. For clarity this should be explicitly set out for immediate reference within the SPD.

Paragraph 5.7.3 sets out that ‘*it is often inevitable that proposals for development in the countryside will alter the appearance of the landscape*’. This statement again is negative as well as being inaccurate, given agricultural shed buildings akin with intensive poultry farms are very much characteristic of the rural landscape, particularly across Suffolk. Proposed developments have the ability to enhance the appearance of the existing landscape by replacing older and untidy farm buildings and replacing with cleaner modern buildings carefully designed to integrate with the landscape with appropriate use of materials whilst also incorporating landscape screening.

Paragraph 5.7.5 in relation to the reports and assessments required to support applications requires clarity. Clear thresholds must be set out within the SPD as to when reports/assessments will/will not be required to support an application. This should be consistent with the provisions of Joint Local Plan Policy LP17 which sets out that ‘*Where significant landscape or visual impacts are likely to occur, a Landscape and Visual Appraisal (LVA) or a Landscape and Visual Impact Assessment (LVIA) must be prepared to identify ways of avoiding, reducing and mitigating any adverse effects and opportunities for enhancement*’. The extension of existing buildings within an existing farm, for example, is unlikely to have ‘*significant landscape or visual impacts*’ but it is for supporting landscape evidence to determine this and NOT the SPD.

Paragraph 5.7.4 as currently worded assumes negative impacts of development rather than the opportunities it presents. This should therefore be reworded setting out that ‘*proposed development should give careful consideration to the scale of buildings and associated infrastructure and operational activity, traffic movements/impact*’.

Paragraph 5.7.4 also acknowledges that ‘*the incremental effect of development erodes the landscape features, including extensions to existing sites*’. As highlighted earlier in these representations permitted development rights are now more extensive and allow larger extensions to existing agricultural buildings. The SPD should therefore be written to



encourage well designed redevelopment proposals where there are opportunities to, among many other benefits, conserve and enhance the landscape character of the district.

Paraphrase 5.7.7 requires a landscape scheme to be submitted, whilst paragraph 5.7.8 sets out what should be included. It is suggested however that the details specified at 5.7.8 could however be conditioned alongside a submitted/approved landscape strategy for the site and are not required upfront. Conditions would also allow the LPA to require specific materials/colours and finishes where appropriate and necessary to ensure development is acceptable. This should be clarified within the SPD.

#### **7) LP14 (1) (g) – highway and transport considerations**

The use, once again, of emotive language should be removed. The purpose of the SPD should not be to highlight the detrimental impacts of ‘unmanaged’ farms. Traffic impacts should be a consideration for all developments and consistent with the provisions of the national policy (NPPF, Paragraph 115) which sets out that *‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe reference’*. Instead, reference should be made within the SPD to *‘applicants giving consideration to highway safety and management consistent with national policy’*.

Redevelopment proposals/replacement buildings via a planning application rather than incremental development or change of use allowed under permitted development offer the opportunity to manage rather than prevent traffic movements. For example, there is the ability under planning applications via condition to agree Long Routing Agreements for HGVs, Travel Plans etc. Change of use of agricultural buildings to storage and distribution uses will, for example, also involve lorry movements, which should be taken into account when assessing proposals for new development/expansion at existing farms.

The SPD should therefore be written to support rather than deter applicants through the application process.

Paragraph 5.8.2 sets out pre-application consultation should take place with the local highways authority’, however it is important that this does not delay unnecessarily the submission of applications and in turn the delivery of essential building and infrastructure improvements required to farms to meet with other regulation/permit requirements to protect their ongoing operations and much need/urgent environmental enhancements. It should be made clear within the SPD that pre application consultation is optional and should also be proportionate to the scale of development e.g. there should be no requirement to engage with the LPA for small extensions.

#### **8) LP14 (2) – Locational Considerations**

Paragraph 5.9.1 simply repeats the provisions of Policy LP14 and does not provide any further explanatory text for applicants. It is unclear therefore what ‘appropriate justification’ and ‘demonstrable evidence’ would be required in terms of ‘locational



considerations' when proposing expanded or new units adjoining existing groups of agricultural buildings, given this will relate to development at existing farms.

It is also important that, when assessing proposed development, there is a clear distinction between 'replacement buildings' and 'expansion' and landowners should not be discouraged from expanding farms or replacing. If replacing with less impact than existing this must also be seen as a benefit. through comprehensive well planned developments, ensuring unmanaged incremental development is where possible kept to a minimum.

The paragraph simply refers back to Joint Local Plan Policy SPO3. However, Policy SPO3 sets out that *'outside of the settlement boundaries, development will normally only be permitted where it is in accordance with one of the policies of this Plan listed in Table 5'*. Policy LP14 is included within Table 5. Reference to Policy SPO3 is therefore and should be deleted.

#### **9) LP14 (3) – cumulative impacts**

Although it is accepted that regard should be given to the impacts of proposed development including any potential cumulative impacts of development (having regard to traffic movements, air quality, water resources, visual impacts etc), the wording of Paragraph 5.10.1 is vague and unhelpful. Further clarification is required in relation to 'similar' developments i.e. does this relate to scale and/or types of development. Policy LP14 is clear that this should relate to cumulative impacts from similar developments 'nearby'. This should be made clear and set out within the SPD.

The current wording at paragraph 5.10.1, *'The proximity of such uses will vary, and it would not be appropriate to state a specific distance and the impacts of other uses on the localities will vary'* should therefore be removed.

It is important that, in line with the ambitions of the Norfolk and Suffolk Economic Strategy that the district/LPA engage with intensive livestock and poultry farm landowners and statutory bodies to support the intensive poultry farms. This ensures the provisions of Policy LP14 and the SPD does not unnecessarily delay/prevent essential development coming forward which will result in positive environmental change and in supporting a prosperous rural economy within the district consistent with national policy.

#### **10) LP14 (4) – sensitive land uses**

Further clarity is required in relation to the detail included at Paragraph 5.12.1 and the circumstances where *'thresholds of acceptability may be reduced'* and what *'thresholds'* this relates to in relation to proposed land uses. Given the need to protect/support intensive poultry farms, there appears to be no clear justification why thresholds of acceptability should be reduced for development of sensitive land use which could have implications for the future operations of farms. This wording should therefore be removed from Paragraph 5.12.1.



It is important that the SPD instead emphasises the economic importance of existing intensive poultry farms within the district (as identified earlier within these representations and in line with ambitions of New Anglia LEP for Suffolk and Norfolk) and that development for 'sensitive land uses' i.e. residential development, that would impact on the operational viability of these existing farms would not be accepted, both in terms of proximity of development and impact on residential amenity but also in terms of cumulative environmental and infrastructure impacts which would prevent the necessary expansion/redevelopment of existing farms.

### Summary

The SPD seeks to provide additional guidance to support the implementation of Joint Local Plan Policy LP14. Overall however, and consistent with the purpose of Policy LP14, a much greater emphasis should be given to the importance of, and need to support, intensive livestock and poultry farming within the SPD consistent with the ambitions of the economic strategy for the region and national policy in supporting prosperous rural economies. The Part 1 Joint Local Plan's Inspector requested main modifications to the Plan to include a policy which dealt specifically with intensive livestock and poultry farms, supporting development within the sector (subject to a number of criteria) given the significant role of intensive livestock and poultry farming within the agricultural industry. The SPD should reflect this.

Alongside this, the SPD should be recognising the opportunities which can come forward through carefully considered development including the redevelopment of existing farms. It should set out the clear environmental and economic benefits which development can offer the district, rather than placing emphasis on negative/detrimental impacts which are not likely to reflect the impact of new development in this sector. Well-designed sustainable development should be actively encouraged in order to limit, where possible, incremental extensions under permitted development.

The SPD should also provide clear and concise guidance, removing any emotive language and which accurately reflects and expands upon the provisions of LP14, providing clear thresholds for applicants in understanding what level of information is required to support what types/scale of development and avoid the need for pre application dialogue ensuring development is not unnecessarily delayed through the planning process. It should be made clear throughout the SPD that pre application consultation is optional and will be proportionate to the scale of the development. Whilst Amber REI supports pre application engagement, this should not require giving the 'approval' of an approach, especially with external bodies outside the control of the Council.

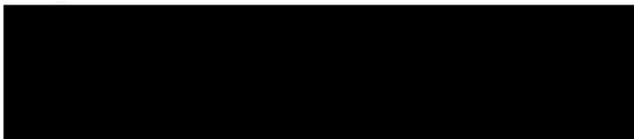
In addition, it is important that in order to protect the future operation and expansion, where required, of intensive poultry farms that further guidance is set out clearly within the SPD for the benefit of both applicants and officers in relation to proposals for other sensitive land uses. In particular, the SPD should be written to ensure the siting of proposed residential developments, for example, does not compromise the ongoing/future viability of existing farms. Priority should be given to supporting farms and their economic importance to the district, wider region, as well as UK with regards to food production/agri-food industry.



The principle of the SPD is supported, however as currently written the SPD places an obstacle for intensive farm landowners rather than supporting/encouraging development and the associated enhancements. I trust therefore that the various comments identified within these representations will be carefully reviewed and taken into account in progressing this SPD.

In the meantime, should you have any queries please do not hesitate to contact me.

Yours faithfully



**Katherine Lovsey-Barton**  
Principal Planner

