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Enquiries to: Michelle Gordon/James Cutting

Tel: 01473 296332/ 01473 264803

Email: michelle.gordon@baberghmidsuffolk.gov.uk / james.cutting@suffolk.gov.uk

Cllr Elizabeth Gibson-Harries,
Horham & Athelington Parish Council

Jill Erben,
Southolt Parish Meeting

Sue Ives,
Campaign Coordinator, Save Our Suffolk Countryside

By electronic mail

Dear Ms Gibson-Harries, Ms Erben and Ms Ives,

Intensive poultry unit developments in Mid Suffolk District

We refer to your joint letter submitted to both Councils dated 6 July 2020 and are also responding jointly in our capacities as Chief Executives for Babergh & Mid Suffolk Councils, and Suffolk County Council.

Your letter goes into some detail about individual sites, previous decisions and a wide range of issues relating to the poultry industry. We will focus this response to the five bullet points on the second page of the letter but, firstly, we feel that some further context is necessary.

Context

The poultry industry is a significant and mature economic feature of this area and one that has seen substantial investment over time. The industry needs to remain competitive, not just with other markets in the UK, but internationally. Individually, our local authorities have distinct roles in regulating the industry, but we are also responsible for supporting economic growth alongside the achievement of environmental and social objectives with other partner organisations.

Your letter heading states “intensive poultry”, which is repeated elsewhere and there is reference to “industrial scale factory farms”. These terms appear to relate to the changing nature of the industry, which is beyond the scope of district and county councils’ control.

This industry is part of the agri-food sector, a key sector of the economy of Suffolk and Norfolk. The Local Industrial Strategy highlights this as being the largest such sector within the UK, outputting £3.5billion to the economy, and accounting for 17.6% of the UK’s

poultry production and 22.7% of pigs.¹ The poultry industry is one component and others also have similar impacts, such as through the transportation of pigs.

This area does have a specialism within the UK, we attach - at appendix 1 – an extract from the Animal & Plant Health Agency's livestock population density report. The poultry sector is an integrated mixture of businesses including, for example the incinerators at Eye and Thetford purpose built as sources of electricity using poultry litter and active for 20 and 15 years respectively.

The industry has had to address many challenges recently, most notably from increased hygiene standards to reduce the occurrence of Campylobacter. In common with many other industries, but particularly in agriculture, the size of firms and the processes involved has increased to maintain economies of scale alongside significant new investment in plant and equipment.

As noted above, our response is focused on the five bullet points, which we now address.

Adopt and implement a more 'joined up' approach to address this issue

A joined-up approach to addressing the issue is underway and actions have already been taken through the initial meeting of the "Poultry Panel" in early 2020. The issue is broad and with many interactions, which means actions need to be carefully considered and involve more than just the local, district and county councils. We therefore welcome the understanding expressed that we need to address the issues rather than prevent new investment.

The "Poultry Panel" has been reconvened and reinvigorated post-Covid and whilst the initial focus is on sites within Mid Suffolk, so the partners are restricted to Suffolk County Council and Mid Suffolk District Council, we recognise that we will need to bring in additional specialists as and when appropriate from neighbouring authorities within Suffolk and Norfolk, as well as regional and national bodies to ensure we have a complete picture of the industry and its supply chain.

Whilst poultry processing and distribution will tend to use a supply-chain around a 10-mile area, there are farms and other related firms over a much wider area including Breckland, St Edmundsbury, South Norfolk and even Tendring districts and it will take time to fully understand the complexities of this supply chain.

The breadth of the industry over multiple districts and counties makes the job of understanding cumulative impact even harder without formal co-operation between local authorities across borders. This is something we are hoping to better understand through the reformulated "Poultry Panel".

The engagement of the industry is going to be a vital component of this joined-up approach. Engagement with individual firms will be a significant task. Cranswick, for example, has indicated its willingness to work with local partners and had offered a tour of their site to help provide a better understanding of its operations. We understand that this offer will now be difficult to take up, so we will work on alternative ways to help improve access to, and engagement with, the local industry.

¹ New Anglia Draft Local Industrial Strategy - https://newanglia.co.uk/wp-content/uploads/2020/03/New-Anglia_NSU_Local-Industrial-Strategy-Brochure-FINAL.pdf

Over time, our aim is that the “Poultry Panel” will be able to facilitate and host open meetings with parish councils and the local community to discuss sustainable growth/development of the industry. Whilst this is unlikely to quickly address the points you raise, we hope that we will be able to foster a more collaborative approach to the development of the industry and one which better understands the challenges that residents and local communities may have with this development.

The County Council, as the Highway Authority, already takes into account a number of issues when considering the level of impact on the highway from new developments, such as:

- the type of development
- types of vehicles and expected routes for HGVs
- hierarchy of road, passing places and existing weight restrictions
- levels expected traffic volume
- extent of existing congestion (such as length of queues)
- consider road safety (access, vehicle speeds, accident data)
- history of complaints
- sustainable transport such as footways, cycle and public transport links

Development management engineers, who respond to planning applications for the county council in its capacity of Highway Authority, must abide by the policy set out in the National Planning Policy Framework (NPPF). By way of example, this states (at para. 38) that:

Decision-makers at every level should seek to approve applications for sustainable development where possible

Furthermore, the well-known para. 109 restricts the highway grounds to prevent development to: an unacceptable impact on highway safety or severe residual cumulative impacts on the road network. It should be noted that severity is not that there is an increase in traffic or that an increase in HGVs will result in more noise and exhaust emissions. Therefore, even if applications are unpopular with the public, unless there is an evidenced detrimental effect on the highway which cannot be mitigated, there is no reason for the county council to object and the Local Planning Authority to refuse permission.

However, both authorities are aware of sensitivities in the area and will be highlighting local concerns to applicants and will take this into consideration in future responses. This does not provide you with the immediate action that you are seeking but is one of the first joined-up steps that we can take.

The engagement of the industry will assist to develop a better understanding of the associations and a potential benefit could well be more information on HGVs movements and consideration given to reducing the impact of such movements.

Provide advice and take shared action, to support parishes with immediate problems concerning HGV traffic

Many of the applications that members of the public are writing to both authorities about are historical and, therefore, planning controls cannot be retrospectively applied.

It should also be noted, that options for monitoring HGV movements do not necessarily help to identify the origin or destination of the movements, so this is likely to be an issue that is broader than the scope of the review into the poultry industry.

Poultry sites deliver chickens to the processing site at Eye, which occurs approximately seven times a year (based on a seven-week rearing period) and then there can be a significant increase in trips during these periods, in the order of 30 HGV trips a day.

The poultry processing site at Eye can be accessed from the A140 or via B-roads through Eye. Therefore, although each development site has a relatively small number of additional HGV trips, some of the trips converge on Eye increasing the total number of HGV trips over that of the individual sites.

The A140 is the obvious choice for accessing the processing plant; one of the reasons that this site was chosen to replace the Weybread site. However, sites such as within Bedingfield and Thorndon for example, cannot reasonably access the A140 due to an existing environmental 7.5t weight restriction at Thorndon. Therefore, they use the local B-roads which route through Eye.

There are also existing environmental 7.5t weight limits within Eye limiting the routing of HGVs to the B1117 from the east and Lowgate St from the south. The road safety team are currently reviewing concerns related to HGVs in Eye, including the report by consultants MLM.

Monitoring of HGVs

The county council does not have any real time traffic monitoring information that can identify the nature and purpose of vehicles or the routes that they have taken. The county council is able to monitor a particular road but only in terms of frequency rather than origin or destination. Accident information is monitored and the county council, through its maintenance function, does record damage associated with verges, which are largely the result of overrunning HGVs, and reported building strikes.

Eye is a Lorry Watch area, one of eight currently in place in Suffolk. Lorry Watch zones can only be considered where there is a weight restriction already in place. A Lorry Watch scheme operates in the following way:

- Local trained observers note details of vehicles that may be misusing a restricted route
- A report is sent to Suffolk Trading Standards
- Suffolk Trading Standards confirm the vehicle weight and registered keepers of the vehicle
- Investigations are made with the registered keeper and driver of the vehicle
- Action is taken in accordance with the Enforcement Policy
- Feedback is provided on a quarterly basis to Lorry Watch zones.

Trading Standards can only respond to reports of breaches that are submitted using the official Lorry Watch reporting process. Concerns about speeding, which is a separate matter, must be raised with the Eye Safer Neighbourhood Team at Suffolk Police (Eye.SNT@suffolk.pnn.police.uk). Suffolk Constabulary have been contacted and aware of concerns and will discuss with Eye Town Council, but have no further comments or feedback about HGV movements in Eye.

Trading Standards received four reports in Eye during 2015, after which the scheme lapsed. Further training for new volunteers was delivered in December 2019 at the request of Eye Town Council. There is one new observer with further training packs sent to those who could not attend but wish to register as a volunteer. However, without sufficient volunteers the scheme is unlikely to operate successfully.

Suffolk Highways has received 12 HGV incident reports in the Eye area since 2017, primarily regarding HGV's traversing Church Street/Broad Street. Some have noted damage to lamp columns and mounting footways. All concerns should be reported to the local Lorry Watch scheme or by using the pages on the Council website <https://www.suffolk.gov.uk/roads-and-transport/lorry-management/report-a-heavy-goods-vehicle-incident/>.

We would also advise the public to ensure that their concerns are presented to their town or parish council so that they are included in the community review planned for 2021. Concerns reported or expressed on Facebook or other social media sites are not actionable by the County Council.

Include policy with the emerging Joint Local Plan to control the unrestricted growth of development within the poultry sector and set out considerations against which such development should be appraised, having regard to the wide range of impacts that intensive poultry site development generates

Agriculture, including the keeping of livestock, has continuously had flexibilities within the planning system since 1948. Permitted development is a notable flexibility and one which the Government is encouraging greater use of in order to help repurpose buildings for a different use. The present thrust of national government policy is to attach significant weight on the need to support economic growth and productivity taking into account business needs through the planning process and the Joint Local Plan is expected to accord with that approach.

Following consideration of the comments made during the consultation on the Joint Local Plan Preferred Options document (July 2019) regarding intensive farming, the councils are currently considering the addition of a policy in the Joint Local Plan to address agricultural buildings. An updated Local Development Scheme has been approved by Mid Suffolk District Council at their Council meeting on 23 July 2020, which identifies that the next iteration of the Joint Local Plan is proposed for consultation towards the end of 2020.

Evidence is a critical feature but engagement with the industry to raise and address local concerns is also necessary. A robust local plan is one based on engagement and the justification for an intervention through planning policy needs to be set out as a necessary solution and as part of other measures. As noted above, however, the sector is a significant part of the local economy and a vital part of the nation's food supply chain. Restrictions must be justified, based on evidence, and accord with the provisions of national policy.

The focus of the concerns raised in your letter relates to HGV movements and there are further steps that the district council is considering, with support from the county council. One measure could be to require applications to include a Delivery Management Plan, providing detail of routing and movement times. There cannot be a blanket restriction on the growth of the industry but, through the engagement with the industry, there could be advances on how lorry routing is managed in consultation with local partners.

Submission of traffic controls over routes taken by HGVs and monitoring

An approach could be useful is one that considers whether proposals would result in an unacceptable impact on highway safety or severe residual cumulative impact on the network. If a transport assessment was necessary, this could then include cumulative impacts not just of emerging projects but also scenarios when other existing activity, which might not have not been identified during traffic survey/counts, would also be accessing the same network.

In addition, applicants would be required to submit a lorry routing plan, that would then be conditioned through the planning process. This would require enforcement beyond that currently provided by Trading Standards or the Police and enforcement of such conditions place additional burdens on both authorities. These also tend to raise expectation within local communities that action would be taken as soon as there is an identified breach. As with controls through trading standards, this is not the case as a series of steps and investigation is required.

Both authorities are considering what mechanisms could be put in place to reduce the administrative burden on local authorities. Essentially, this is a behavioural control over an operator and acceptable patterns are most effectively established early, when the development becomes operational. Regular reporting from the operator and measures taken to address breaches could be a component and this could also be a route for informing local communities.

Permitted Development

One substantial intervention is removing certain permitted development rights. Such rights apply to irrigation ponds and buildings for livestock or other agriculture provided several conditions are met, including the building (including if extended) would exceed 1,000m² (an increase from 465m² made in 2018), being within 25m of a classified road, or with 400m of the curtilage of some's home. There is a two stage prior notification process. The local planning authority may only require more details to be submitted (the second stage) for: siting, design and external appearance of the building or the details of the construction of a private way. Traffic generated from the permitted development is not a consideration.

Within Mid Suffolk, there have been 171 such applications over the last five years. One such example is at Flimworth Hall, Cranley Road, Eye for rearing pigs. In most cases, such applications are processed with little or no controversy. Understandably, the cumulative impact of these developments is not a part of the decision-making process.

Whilst one potential solution could be additional control, removing such rights (which are provided by Government) requires sufficient justification. We understand that, as community representatives, your immediate thoughts to this would be that the fact you are raising the issue is sufficient.

Whilst local planning authorities are able to remove such rights (known as article 4 directions), these must be confirmed by the Secretary of State. We expect that a great deal of evidence justifying this would be necessary and there would be the expectation that such issues have been raised with local businesses.

The making of such a direction would not preclude an application though it would entitle the applicant to an application without fee to the local planning authority given that a national right has been taken away. Furthermore, as these are rights that have been already established, the withdrawal of permitted development rights may give rise to liability to compensate. You will understand that such measures cannot be taken lightly and that such an approach is unlikely to be consistent with the Government's approach to reducing regulation.

Develop a mitigation plan to prevent overconcentration and intensification of poultry units in inappropriate rural locations

The point raised assumes that there is a point, if one can be defined, that the locational advantages from firms agglomerating results in negative externalities. Some have been expressed in the letter but negative externalities, such as HGV traffic, might still be present with a broader spatial pattern from less intensive units.

This area is, by definition, an appropriate location, as the industry has established and grown here. One of the reasons for the growth in poultry farming in the region is that food firms like to operate farms close to their processing plants, creating a clustering of similar businesses.

In the case of further restricting HGV movements through Eye, for example, the impacts would be displaced, probably elsewhere within the district. This is not a dismissal of the problem or a statement that there are not matters to be addressed. However, preventing this through further restrictions could end up with more miles, additional costs for the industry, livestock being longer in transit and, at a more basic level, just shifting the problem.

A first step to addressing the concerns expressed is whether the industry can influence the amount, time and frequency of deliveries. What can we do to influence and mediate will depend on the engagement of the industry, particularly those operations with permission or permitted development. The challenge is to review the approach to new applications, and we are looking into this in a joined-up manner.

Implement a rigorous appraisal of planning application in relation to poultry site developments and consider such application within the wider context of existing poultry sites and the cumulative effect in terms of pollution, HGV traffic increase, health and wellbeing, and the loss of community amenity and harm to the environment and landscape

There are, of course, various impacts and some of which are addressed through the planning, environmental health and other permitting processes. Others, such as the cumulative impact of Heavy Goods Vehicles that you highlight, are not straightforward to measure and, therefore, mitigate.

Cumulative impact is a logical concern, but one which is quite complicated to address so that all interests – community, economic and environmental - can be appropriately balanced in an evidence-based way.

Planning applications do receive rigorous appraisal. You questioned the competency of both councils for determining the Cranswick application without an Environmental Impact Assessment - which was for Mid Suffolk District Council to determine. The requirement is for likely significant effect on the environment rather than there being an impact, cumulative with existing or other approved development or individually.

The decisions on EIA screening, available through Mid Suffolk's website (refs: 1082/17 & 19/03097) clearly set out the reasons for the decision including: the site is not in a sensitive area and that there was consideration given to traffic, including cumulative impact of the business park.

Planning applications are determined in accordance with the development plan taking account of other material considerations such as national policy. This includes the effects listed, often based on professional advice in the form of assessments following well established and tested practice. Individuals and, indeed, parish councils might disagree with the conclusions reached but this does not mean that a rigorous appraisal has not been undertaken.

We hope that the above information on the nature of the industry provides you with a better understanding of its role in the region and that, in responding to the five points you raise, you are able to see that both authorities are acting jointly to address your concerns.

As summary of the actions:

- Reinvigorate the "Poultry Panel"
- Raise local concerns to applicants and will take this into consideration in future pre-application and consultation responses
- Encourage parish councils to provide volunteers for the lorry-watch scheme
- Refine the mechanisms to address cumulative impact of HGVs, which could also include policy in the Joint Local Plan.
- Use the "Poultry Panel" to investigate whether the industry can influence the amount, time and frequency of deliveries.

Yours sincerely,

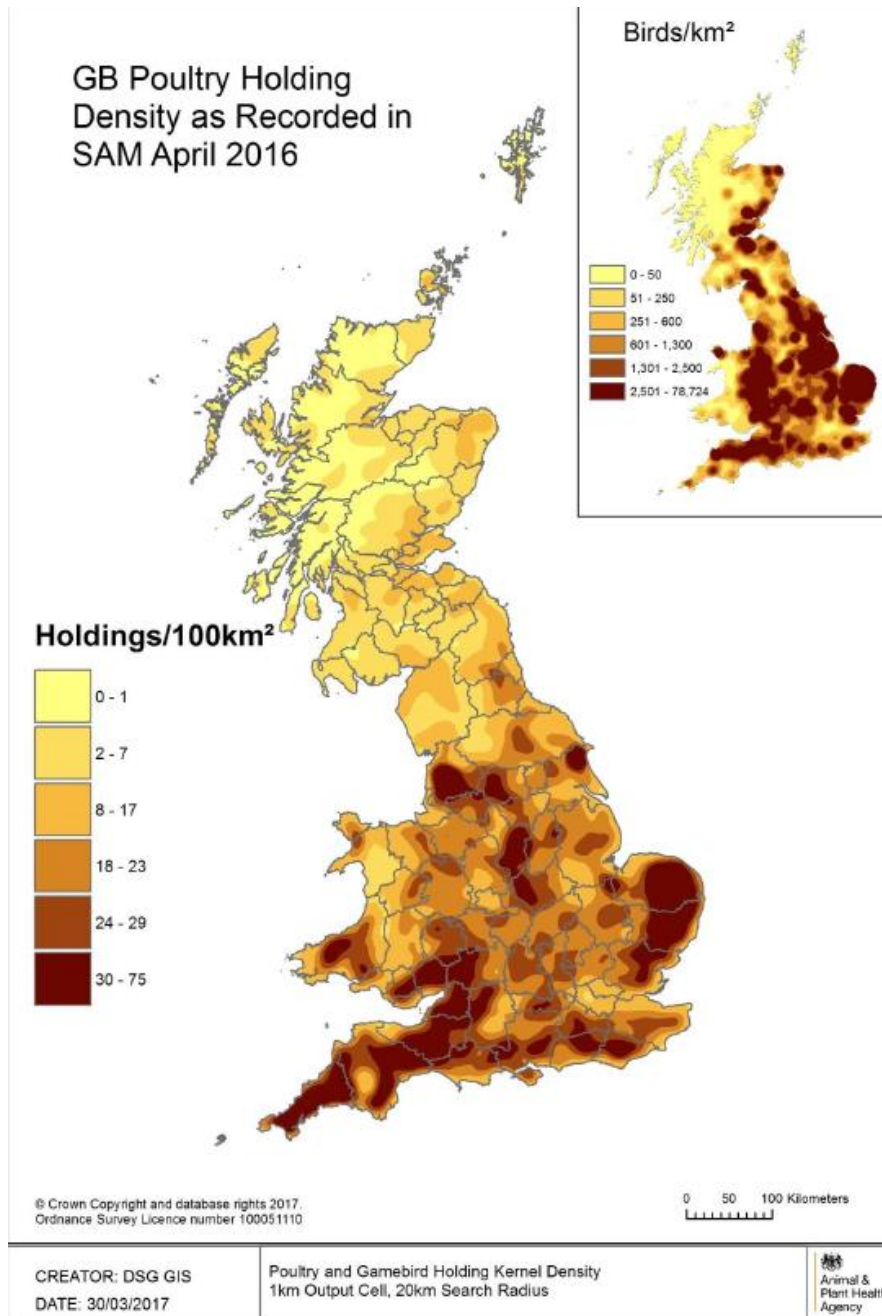


Arthur Charvonia
Chief Executive Officer
Babergh and Mid Suffolk District Councils'



Nicola Beach
Chief Executive Officer
Suffolk County Council

Appendix 1. Poultry Holding Density in 2016



Source: Livestock Demographic Data Group: Poultry population report. November 2017