



Stradbroke Parish Council Response to Regulation 19 consultation on Babergh and Mid Suffolk Joint Local Plan

Stradbroke Parish Council requests the opportunity to address each hearing held during the examination of the BMSDC Joint Local Plan.

1. Introduction

- 1.1. Stradbroke Parish Council (SPC) responded to the Sustainability Appraisal (SA) and Local Plan with multiple objections. The Parish stated that the SA and the policies are ineffective, with the main ineffective policies being:
 - Policy SP05 Employment Land;
 - Policy LA099 Allocation: Land at Eye Airfield, EyeAnd now SPC adds in comments on the new Policy
 - Policy LP24 New agricultural/Rural buildings in the Countryside
- 1.2. SPC previously stated that these policies fail to meet the requirements of, Schedule 1 and Schedule 2 of the Environmental Assessment of Plans and Programmes Regulations 2004 and do not assess the impacts of these Policies on specific issues as required, transport and waste.
- 1.3. Waste in this context is untreated chicken muck/ litter which is covered by guidance¹. The projected cumulative quantum is 100,000 tonnes per year, as shown below.
- 1.4. Transport in this case is the explicitly cyclical business of chicken rearing and processing to include all ancillary and associated vehicle movements, some of which are waste vehicle movements.
- 1.5. The detailed comments made by SPC about waste were not responded to and in effect ignored even though SA objective 8 is: "To promote the sustainable management of waste". LP22 does not cover intensification of use or reviving unused sites with established use.
- 1.6. The following comments can be cross referenced between these three policies. For simplicity all comments below are referred to the strategic policy.
- 1.7.
 - Policy SP05 Employment LandThis remains ineffective as it fails to comply with NPPF Paras 20 and 108

20. Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

*b) **infrastructure for transport**, telecommunications, security, **waste management**, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)*

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/268691/pb13558-cogap-131223.pdf

“108. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

First, the Policies do not take proper account of the Submission Plan statement in Para 9.23 p. 47 (see bold sentence), specifically in view of the Cranswick stated expansion plans for the poultry processing unit on Eye Airfield as stated in the Cranswick plc Report & Accounts 2020 page 7²:

Strategic Employment Locations

These employment sites are of strategic importance to the District wide economy. They are functioning well and will remain the main core of industrial land and premises within the Districts.

The business estates in these areas are generally operating at capacity.

Second, it does not take account of the significant off site impacts of specifically the Eye Airfield site, in particular relating to transport and waste. Transport and Waste issues are specifically relevant to new Policy LP 24 New agricultural/Rural buildings in the Countryside.

Third, the Reg 19 consultation Policy itself has not been modified to reflect SPC concerns raised about the SA in relation to transport impacts and the Eye Airfield Policy site .

The Policy context is that Submission Plan Policy SP05 notes Class E use will be safeguarded. Class E sites are defined in planning Law as : **E(g)(iii)** Industrial processes

2. Background

- 2.1. MSDC wrote in their SA response to SPC’s comments that SPC considered *“Cranswick Poultry Production factory on Eye Airfield is not a major infrastructure development”*. (see MSDC Appendix A – consultation comments³, page 11, ID ref 17859)
- 2.2. That is not what SPC intended to be understood. The MSDC response should have stated that SPC *“noted the development is not deemed a “Major Infrastructure” project as defined by legislation”*. SPC’s view supported by evidence is that it is a major development even if it is not a major infrastructure development; it meets the size requirements of Schedule 2 developments in the EIA Regulations even though it escaped scrutiny. SPC has previously commented on this omission which is a major weakness now the draft plan is before the Inspector. The new Policy and revised existing policies do nothing to address the future problems of waste disposal in a nitrate sensitive area and of traffic intensification on an inadequate road network.
- 2.3. SPC reiterates its comments that the road network has been inadequately appraised without reference to the designated SCC lorry route. This is not a sound basis for appraising growth. The transport matter cannot simply be kicked down the road by reference to a *“Transport Plan”*. The evidence is before the Inspector and must be appraised now, not left until after the Plan is made. This is in line with NPPF Para 20b regarding treatment of *“Strategic Policies”*. Leaving this for resolution until after the plan is made is not sound plan making.
- 2.4. It also conflicts with NPPF para 108 which states – *“it should be ensure that”: “c) any signifiation impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree”*.

² <https://cranswick.plc.uk/sites/default/files/Cranswick%2033365%20AR2020%20Website%20-%20view%20online.pdf> page 7

³ <https://www.midsuffolk.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/SA2020/Babergh-Mid-Suffolk-Joint-Local-Plan-Sustainability-Appraisal-Appendices-compressed.pdf>

- 2.5. SPC argue for reasons given below that it is simply not possible to mitigate adequately the impact of the factory on the entire district served by B and C roads with not a single A road east of the factory, nor south east for 10 miles.

3. Logistics of Poultry Industry

- 3.1. The Use Class E Industrial Process carried out by the Cranswick Factory cannot be separated from the supply chain that feeds it. However, that supply chain is defined as an agricultural process and treated separately. As the supply chain is an input to an industrial process, in its response SPC defines these as poultry supply factories (“PSF”) for sake of consistency, in relation to the whole industrial process, from hatching baby chicks, feed, bedding, waste removal, transportation to Eye for slaughter at 8 weeks old, and new supply of chicks to the PSFs.
- 3.2. The evidence that this is all one concerted business is the DEFRA poultry licensing record that shows all of the major PSFs are registered to Crown Chicken who own the Eye factory (see Appendix 1).
- 3.3. This interconnected industrial process between Eye site and the PSFs is of a vast scale and hard to comprehend. Scale evidence has been previously submitted; for ease of reference the current production line at Eye can process 15,000 birds per hour every hour (see SPC submission dated September 2019, page 10).
- 3.4. SPC has taken a modest assumption of the factory capacity taking account of necessary breaks in production; modelling 300 days per year x 24 hrs x 15,000 birds per hour means the factory can process 108,000,000 birds per year as a conservative estimate. This is supported by the 2020 Annual Report & Accounts for Cranswick plc⁴ which states: *“The facility can process up to 1.2 million chickens a week, sourced from our own local farms and allows us to tap into British values of buying local whilst serving demand for low impact, cost effective protein.”*
- 3.5. An average PSF can supply 1 million birds per year based on planning histories⁵. The Eye factory currently processes 60 million birds per year.
- 3.6. This means there is a 40 million bird shortfall on current Eye factory capacity. The factory intends to expand further (see point 1.7) and hugely, to double current production in fact to 120 million birds per year. This entirely contradicts the Policy comment about sites working “at capacity”.
- 3.7. In order even to meet current modelled capacity over the existing supply chain, 40 additional PSFs providing 1 million birds per year each must be built.
- 3.8. However, to achieve a doubling of current production, **60 x 1 million PSF are required**. Cranswick intend all of these be within a 40 minute radius of the Eye factory and the closer the better to reduce vehicle mileage as stated in their literature: *“The site is located in the heart of Cranswick’s chicken rearing operations to minimise travel times”*⁶.
- 3.9. Each PSF for 1 million birds will generate up to 3200 vehicle movements per year, and waste in the region of 2600 tonnes per year as shown in the appended calculus based on all existing evidence and current planning applications (See Appendix 2 – IPU 1m bird metric).
- 3.10. In this context MSDC summarised SPC’s comments on the SA that:
“The Applicant requested a scoping opinion for the factory proposal, but this was not carried out. The proposal was granted planning permission despite there being no scoping opinion and an outstanding highways requirement. Reasonable alternatives were also not considered. According to the Parish, the impact of this development on other policies promoting population and human health have not been assessed.

⁴ <https://cranswick.plc.uk/sites/default/files/Cranswick%2033365%20AR2020%20Website%20-%20view%20online.pdf> page 19

⁵ Eg: Mid Suffolk DC Planning Refs DC/20/02052, DC/18/00124 , East Suffolk DC/19/2195/FUL & Breckland DC 3PL2020/0647/F

⁶ <https://cranswick.plc.uk/sites/default/files/Cranswick%2033365%20AR2020%20Website%20-%20view%20online.pdf> page 7

Furthermore, an “EIA Schedule 2” project scoping opinion was requested by the Applicant for the factory but not carried out between January and March 2017 for a development proposal later submitted as Planning application DC/17/05666.

The Parish noted the Applicant requested a screening determination and MSDC determined it in favour of the Applicant on his own grounds despite an outstanding SCC Highways requirement for transport information.

The Parish are also concerned about the social, environmental and economic impacts of the development, such as transport, waste and local supply chain effects. Transport modelling has not been completed and transport evidence bases have not been reference.

The Parish state that the Local Plan is now glossing this development and the emerging policies will potentially disadvantage residence and businesses within the community, as they do not consider the offsite impacts of the factory. The Parish suggest that the potential regional impact on land values from the rise of localised large scale poultry farming have not been assessed. Applying a brown field uplift value to greenfield agricultural land value must be modelled. This is especially important where a sub-regional housing land value is created by scale housing policy allocations such as in Stradbroke. Finally, the Parish state that Stradbroke NP Village Allocations is a policy in itself and the whole policy should be assessed accordingly, not just the individual sites.”

- 3.11. BMSDC noted in their response:
Noted. All policies and site options have been re-appraised in this SA Report.
- 3.12. However, Policy SP05 has not been reappraised in light of this submission. There is nothing new to support Policy effectiveness in mitigating off site harm from this industrial process on the scale proposed in the next 10 years, specifically.
- 3.13. First, the cumulative impact on the existing MSDC B and C road highway network.
- 3.14. Second, the legal obligation to account for the destination of waste. This matter was tested and conceded by East Suffolk Council as part of the application at Shadingfield DC/19/2195/FUL. This follows the precedent of “Squire vs Shropshire Council and Matthew Bower”⁷ in respect of waste management. The point was made in objections to the Shadingfield case and these were ignored by the officer leading for East Suffolk Council on this point (See Appendix 3 – Shadingfield Consent Order).
- 3.15. Similarly therefore, new policy LP24 cannot be considered effective ether in view of this enormous industrial process that will dominate the District in a way that no other industrial process does or will do because it does not make the essential connection between the factory and the geographically diverse PSFs.

4. Waste

- 4.1. Applications state manure will be taken and spread elsewhere or will be burned or taken to a local anaerobic digester. This is not adequate. Neither applicants, nor Mid Suffolk District Council in this plan, have provided clear evidence that there is incineration capability at Eye power station. There are no anaerobic digesters with the capacity for additional chicken waste in Norfolk (See Appendix 4 – email from Norfolk County Council). The only unit in Suffolk has recently applied to raise its capacity to a maximum of 4000 tonnes of litter/muck per annum. (See Appendix 5 – Suffolk County Council Planning Officers report). As noted below that is only capacity to serve 2 million birds every year.

⁷ <https://www.bailii.org/ew/cases/EWCA/Civ/2019/888.html>

- 4.2. Furthermore, a transport record from Barley Brigg Anaerobic digester shows that waste already travels there from Peterborough, 70 miles away (see Appendix 6 – KAB 4 Appendix to HTTC Transport Statement for Barley Brigg AD).
- 4.3. There are strict limits to the way poultry waste can be spread on land (See DEFRA guidance on Protecting our Water Soil and Air⁸, and DEFRA Manure Factsheet⁹). As noted 40 new PSFs will produce up to 100,000 tonnes of waste per annum.

5. Transport

- 5.1. Specifically, the WSP Transport assessment evidence¹⁰ has not been reviewed to take account of the cumulative impact of a potential further 40 PSFs supplying 1 million birds per year and each creating 3200 vehicle movements per year, in a district in which the highway network is inadequate to support that level of increase. SPC previously commented on this matter (see SPC supplemental statement submitted to Mid Suffolk on 15th October 2019).
- 5.2. To reinforce this point 40 x 3200 is 128,000 new vehicle movements per year on B and C roads.
- 5.3. The WSP modelling already shows, absent this huge potential increase in movements, that certain highway junctions on the A140 will be over capacity, specifically the B1118 /A140 junction from Stradbroke (see SPC supplemental statement submitted to Mid Suffolk on 15th October 2019).
- 5.4. The impact of this on existing businesses listed in the Stradbroke Neighbourhood Plan will be considerable. Skinners and Transam Trucking, as well as JAJ Smith and Chapmans, will be impacted as their supply routes feed to the A14 via the B1118 and the A143.
- 5.5. Para 09.24 states *Business and Enterprise Hubs*
Cumulatively important, the hubs provide a network of over 100 smaller sites are dispersed throughout the Districts, providing lower-cost premises to SME businesses in the many small settlements.
- 5.6. This modelling takes no account of the potential increase in traffic from potential 40 PSFs. As noted in other responses there are three roads into Stradbroke and one way out to Eye for HGV's on the lorry network. Access through Eye is constrained.
- 5.7. Furthermore, the highway network has been placed into the SA with no reference to the lorry network, which is an entirely different route map (See Suffolk County Council Lorry Route¹¹). Stradbroke is on a supply link and is NOT a through route to the lorry network.
- 5.8. Policy SP05 is thus conflicted and ineffective. The modelling must take account of the cumulative impact of the Cranswick supply chain including the impact on this site, other hubs and other future proposed poultry processing factories.

6. Proposed modification to make Policy SP05 effective

- i. Separate the listed Policy sites into two groups; those deemed to be at capacity and those not at capacity, Eye must on this evidence be deemed to be at capacity for poultry processing.

⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/268691/pb13558-cogap-131223.pdf

⁹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/355571/Manure_Factsheet.pdf

¹⁰ <https://www.babergh.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/Transport-Modelling/2020/200115-ISP-AMR7-SCC-Hwy-Results-Report.pdf>

¹¹ <https://www.suffolk.gov.uk/assets/Roads-and-transport/lorry-management/Lorry-Route-Map-Amended-MAY-17.pdf>

- ii. Proposed wording for the Policy specifically to require the following of sites at capacity:

“All industrial uses on employment sites “at capacity” wishing to expand must fund the Highways Authority to commission an independent transport assessment taking full account of NPPG para 7 (<https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements#:~:text=Transport%20Assessments%20are%20thorough%20assessments,with%20anticipated%20limited%20transport%20impacts>).

The assessment will set out the cumulative transport impact on the MSDC road network of each newly proposed individual Poultry Supply Factory in its relationship to the destination processing factory.

No proposal will be allowed that does not have good direct connectivity to the Lorry through Route and there is a presumption that all such proposals must be located on the A140/A14 corridor west of Eye.

All industrial class E proposals that require significant supply input from diverse geographical locations to serve their own expansion requiring extensive use of the highway network B and C roads rather than the lorry network shall be presumed not to be sustainable development unless the applicant provides clear evidence to the contrary.

All applications including exceptional cases must demonstrate they can satisfy all statutory and licensing waste management requirements before being considered for validation in line with established case law and precedent”.

7. Justification for this restrictive policy

- 7.1. The factory and the PSFs are intrinsically connected and that fact has been hidden, but is now made clear and they cannot be separated one from the other. Cranswick actually state they control the whole process. They state this on page 7 of their Annual Report & Accounts 2020:
“Our new £78 million fresh chicken facility at Eye, Suffolk, is the most modern primary processing model for poultry in the UK. With this facility we can deliver a fully integrated process. Starting with milling our own feed, we have complete control over the hatching and rearing of our own chickens through to final processing, packing and supply. A high level of automation throughout the process leads to an increase in efficiency and a lower cost of manufacturing.”¹²
- 7.2. The published transport evidence is there is highway capacity in the A14/ A140 corridor. That can link to industrial scale digestion plants eg on the A 505 at Baldock:
<http://www.biogen.co.uk/News/blog-article/Hertfordshires-first-food-waste-to-green-energy-plant-opens>
- 7.3. The near absence of an adequate highway network and waste disposal infrastructure anywhere in Mid Suffolk to sustain significant business expansion of the poultry industry means expansion is not sustainable development contra NPPF 20:
*“20. Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:
b) infrastructure for **transport**, telecommunications, security, **waste management**, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)”.*
- 7.4. Therefore the Eye site is “at capacity” and the poultry industry cannot be allowed to develop east and south east of Eye.

¹² <https://cranswick.plc.uk/sites/default/files/Cranswick%2033365%20AR2020%20Website%20-%20view%20online.pdf> Page 7

8. Proposed modification for new Policy LP24

The presumption for new agricultural development connected with the poultry industry is that it will follow transport evidence modelled capacity. The presumption is that expansion must take place west of Eye and not east or south east as the evidence does not support this approach.

The hierarchy is to locate first in the A14/A140 corridor. Any other development must justify itself by evidencing good direct connectivity with the Suffolk lorry route and direct access to main A road.

The presumption and evidence is there is no place to take waste locally to dispose, as there is no local capacity. Applications for PSFs must evidence clear method and destination for disposal of all waste generated by PSFs in a manure management plan which follows national guidance and regulations as set out in **DEFRA: Protecting our Water, Soil and Air (A Code of Good Agricultural Practice for farmers, growers and land managers)**¹³ and the **DEFRA Factsheet on Storage and Spreading of poultry manure**¹⁴.

¹³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/268691/pb13558-cogap-131223.pdf

¹⁴ [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/355571/Manure Factsheet.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/355571/Manure_Factsheet.pdf)