

Stradbroke Parish Council response

BMSDC Local Plan Sustainability Appraisal Habitat Regulation Appraisal/Whole Plan Viability Assessment - Objection

Introduction

National Policy has a threshold for major infrastructure projects and in such cases the applicant is required to model both on and off site impacts and mitigations (eg Sizewell). Such projects have greatest impact locally or regionally (Sizewell again). There is a gap or grey area between national and local planning policy that fails to recognise the impact of major development below the national thresholds, even if the impacts of the proposed development are foreseeably sizeable and potentially severe on the local area. The purpose of a project EIA is to determine these issues however in the case of one major project this impact was not undertaken and the Local Plan is now glossing this development and the effect is the policies, as currently written, will potentially prejudice and disadvantage sections of the residential and business community because they do not take account at all of the huge off site impact of one particular development, the Cranswick Poultry Production factory on Eye Airfield.

Key points

1. The SA and the policies themselves, are ineffective. The following are referred to in this objection:
Policy SP05 Employment Land,
Policy LP12 Safeguarding Economic Opportunities,
Policy LA099 Allocation: Land at Eye Airfield, Eye
Policies LA 080- LA 083 Stradbroke NP village allocations.
2. They fail to meet the requirements of, Schedule 1 and Schedule 2 of the Environmental Assessment of Plans and Programmes Regulations 2004 nor assess the impacts of these Policies as required. (appendix 1)
3. In particular they fail to take account of "*Commission Decision of 12 May 1993 laying down the criteria for classifying third countries with regard to avian influenza and Newcastle disease in relation to imports of live poultry and hatching eggs*", and the exclusion limits contained therein now codified in DEFRA *Notifiable Avian Disease Control Strategy for Great Britain Last updated September 2019 (see appendix 7 & 8 [page 37])*.
4. This sets out a **minimum exclusion** zone of 3 km for avian influenza outbreak making it potentially unlawful to permit any development within such an area of an existing registered poultry farm or breeder unit.
5. Policy SP05 is required to be screened (HRA including an Appropriate Assessment June 2019 p64 – see appendix 3). The screening takes no account of the wider known transport impacts of the Cranswick Poultry processing business supply chain. Its supply locations directly impact on a European Habitat Site zone of influence, Redgrave and Lopham Fen (see map in Local Plan Part 1 Objectives and strategic Policies p14 and 15).

6. Policy LP12 potentially discriminates against existing poultry businesses as proposed poultry production sites will impact on them in all cases if they are proposed within DEFRA exclusion zone limits.
7. Policy LA 099 is listed in the HRA. However, this erroneously assesses an entirely different site in Babergh, 40 miles away - the expansion of Sudbury Health Centre - and not the Eye airfield (HRA including Appropriate Assessment June 2019 p89).
8. The HRA must therefore be reassessed in view of this issue and especially in view of cross border contamination issues from proposed poultry developments in Lopham and Redgrave that are at high risk of AI contamination from wild birds
9. An "EIA Schedule 2" project scoping 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.
10. 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 (see appendix 5)
11. The significant social ,environmental and economic impacts; including transport, raised by the "Phase 1", 20,000 sq metre chicken processing plant and "Phase 2". 12,000sq mtr development were therefore never adequately addressed at any stage.
12. The scale and type of development is applicable under Schedule 2 Section 7 (see appendix 2).
13. Reasonable alternatives for supplying the factory were thus not fully considered, nor are they now being considered under the consulted Local Plan.
14. Ways to mitigate potentially adverse effects have not been considered. In view of the AI and transport issues this must include weighing up the merits of concentrated local supply chain along an inadequate road network with the risk to local businesses against a wider and more diverse catchment that requires more road miles but delivers fewer adverse local impacts to the economy, social welfare, infrastructure and housing development sustainability.
15. Measures to monitor significant local effects have not been considered including
 - effective disposal of thousands of tonnes of chicken litter and dead birds
 - the social economic and environmental impacts of transporting from source to site and then processing 100,000,000 plus chickens per annum along minor and B roads using large commercial vehicles.
16. The likely local social environment and economic extent of the effects of these three policies have not been scrutinised, nor have reasonable alternatives been considered.
17. The impact of this on other policies promoting population and human health has also not been considered.
18. Transport movements have not been modelled as evidence and neither; the BMSDC WSP transport assessment nor the Suffolk Lorry Route map are listed on the evidence base (see appendix 6)
19. It cannot be clearly evidenced therefore the Policies SP05, LP 12, LA 080 -LA083 and LA099 taken alongside each other, promote sustainable development
20. Stradbroke NP is a made policy itself and the whole NP document must be considered as a single policy document and assessed accordingly not simply the individual sites LA 080 -LA 083.

As a separate point

21. The Whole Plan viability assessment takes no account of the potential regional impact on land values of the rise of localised large scale poultry farming. The viability assessment must remodel the potential effect of applying potential brown field uplift value to greenfield agricultural land value. This is of particular relevance where a sub regional housing land value is created by scale housing policy allocations such as in Stradbroke.

Suggested actions: modification/amendments prior to Submission Draft to test policy compliance, effectiveness and justification -

1. Commission an updated WSP transport survey to model cumulative impact of traffic flow to and from known and potential sources of supply of the Eye poultry factory in the region/ locality using the designated highways route, based on the annual maximum factory capacity of 130,000,000 chickens in and out, and waste out, per annum and the Company's stated objective from their website

<https://cranswick.plc.uk/our-products/fresh-chicken>

*And included in our sustainable production chain are our best-in-industry low food miles, **as all our poultry farms are within one hour of our facility.***

2. Compare this with a cumulative area impact study using the Cranswick animal welfare policy of a maximum of 8 hours travel time. The transport brief will then comply with and model effectively the potential impact on surrounding settlements as per schedule 3 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Characteristics of the potential impact

3. The potential significant effects of development must be considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to—

(a)the extent of the impact (geographical area and size of the affected population);

(b)the transfrontier nature of the impact;

(c)the magnitude and complexity of the impact;~

(d)the probability of the impact;

(e)the duration, frequency and reversibility of the impact.

3. Reappraise these four policies in view of the findings of the transport modelling for the Phase 1 and 2 development in tandem with impact assessment on made policy Stradbroke NP and emerging policies Eye and Horham NP's, and any additional relevant impacts and findings linked to the schedule.

Appendices – references

Appendix 1

Environmental Assessment of Plans and Programmes Regulations 2004

SCHEDULE 2

INFORMATION FOR ENVIRONMENTAL REPORTS

6. The likely significant effects on the environment, including short, medium and long-term effects, permanent and temporary effects, positive and negative effects, and secondary, cumulative and synergistic effects, on issues such as—

(a) biodiversity;

(b) population;

(c) human health;

(d) fauna;

(e) flora;

(f) soil;

(g) water;

(h) air;

(i) climatic factors;

(j) material assets;

(k) cultural heritage, including architectural and archaeological heritage;

(l) landscape; and

(m) the inter-relationship between the issues referred to in sub-paragraphs (a) to (l).

Appendix 2 -TCP (EIA) Regulations 2011

Regulation 2(1)

SCHEDULE 2

Descriptions of development and applicable thresholds and criteria for the purposes of the definition of “Schedule 2 development”

1. In the table below—

“area of the works” includes any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps or other facilities or stores required for construction or installation;

“controlled waters” has the same meaning as in the Water Resources Act 1991(1);

“floorspace” means the floorspace in a building or buildings.

2. The table below sets out the descriptions of development and applicable thresholds and criteria for the purpose of classifying development as Schedule 2 development.

7 Food industry		
Manufacture of vegetable and animal oils and fats;	(a)	The area of new floorspace exceeds 1,000 square metres.
Packing and canning of animal and vegetable products;	(b)	
Manufacture of dairy products;	(c)	
Brewing and malting;	(d)	
Confectionery and syrup manufacture;	(e)	
Installations for the slaughter of animals;	(f)	
Industrial starch manufacturing installations;	(g)	
Fish-meal and fish-oil factories;	(h)	
Sugar factories.	(i)	

Appendix 3 – MSDC Reg 18 Local Plan Policy extracts

Policy SP05 –

Employment Land In order to support and encourage sustainable economic growth and ensure a continuous range and diversity of sites and premises which are fit for purpose are available across the Districts of Babergh and Mid Suffolk through the plan period the following existing strategic employment sites shall be protected and their proposed expansion supported in principle:

v. Eye – Eye Airfield

Along the strategic transport corridors (A12, A14 and A140) development of net additional employment sites shall be supported in principle, subject to: a. adequate highway access and off-road parking for its type, mix, use and location; and b. design and layout sensitive to its surroundings, including any landscape or heritage assets; and c. new buildings should demonstrate high-quality design by having regard to the relevant policies of the Joint Local Plan.

LA099 – Allocation: Land at Eye Airfield, Eye

Site size – 64ha Employment uses (with associated infrastructure)

The development shall be expected to comply with the following:

- I. The relevant policies set out in the Joint Local Plan;
- II. Design, layout and landscaping is compatible with nearby heritage assets;
- III. Potentially contaminated land is remediated;
- IV. Surface water flood risk is effectively mitigated; and
- V. Development is compatible with Health and Safety Executive (HSE) consultation zones.

Appendix 4 NPPG

Government Guidance Paragraph: 001 Reference ID: 11-001-20190722 states as follows:

A sustainability appraisal is a systematic process that must be carried out during the preparation of [local plans and spatial development strategies](#). Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.”

“This process is an opportunity to consider ways by which the plan can contribute to improvements in environmental, social and economic conditions, as well as a means of identifying and mitigating any potential adverse effects that the plan might otherwise have. By doing so, it can help make sure that the proposals in the plan are appropriate given the reasonable alternatives. It can be used to test the evidence underpinning the plan and help to demonstrate how the tests of soundness have been met. Sustainability appraisal should be applied as an iterative process informing the development of the plan.”

Appendix 5 Chronology of Applications

PLANNING APPLICATIONS: CRANSWICK POULTRY – EYE AIRFIELD

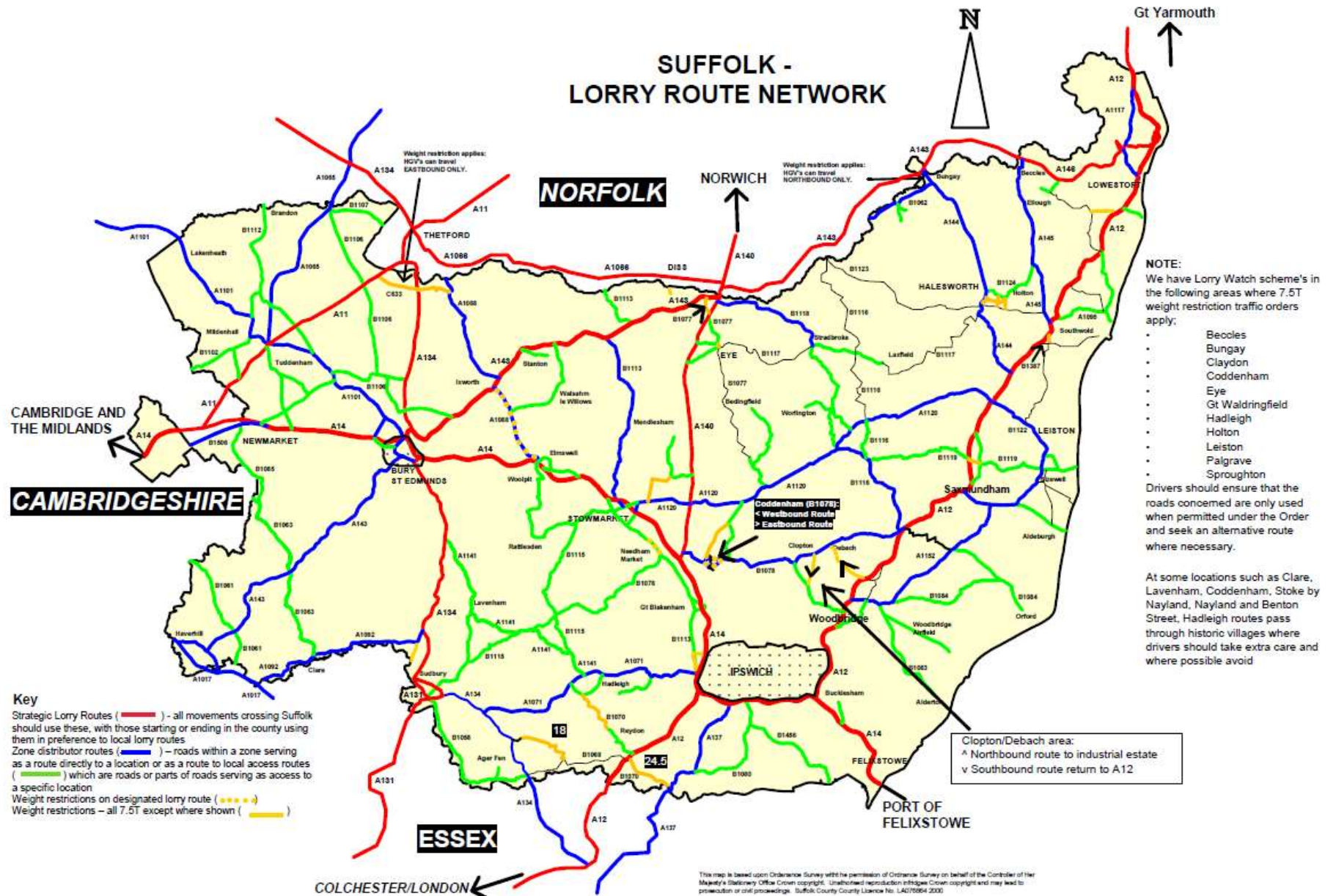
Correspondence by date

Date	Planning Ref No.	Sender	Recipient	Summary of Content
23/1/17	0332/17	Ian Trundley Trundley Designs	Gemma Walker MSDC	Email stating EIA will be required as project larger than 1000m2. Attaching plans 17-L07-P003 and 17-L07-P004 Requesting scoping opinion to confirm the extents of EIA
3/2/17	0332/17	RM Floods Planning SCC	Gemma Walker MSDC	Notes that applicant has not provided documents relating to flood risk or how they intend to dispose of surface water from the site.
9/2/17	0332/17	Delia Cook Economic Dev Officer	Gemma Walker MSDC	Supports the proposal for a new production facility. States that this is in support of development as referenced in Eye Airfield Planning Position Statement (2013). Airfield is preferred location for business operations that might require special mitigate measures if they were to be located adjacent to residential areas. Any specific concerns that might be required will be highlighted as a result of the Scoping Opinion exercise
17/2/17	0332/17	Trundley Design Services		Planning Statement – draft issue
20/2/17	0332/17	Eye Town Council	Katherine Hale MSDC	Objections in summary: <ul style="list-style-type: none"> a. Application goes against the MSDC Eye Airfield Development Brief 2012 which shows at least 50% of this plot landscaped/parkland, and is specifically designated business area with high quality buildings and employment. b. Adjacent to exit/entrance into Castleton Way of A140 – increase in HGV – added to proposed housing development NW of Eye for 250 houses. c. Concerns over surface drainage and flood risk over 20 acre site.
21/2/17	0332/17	Place Services	MSDC	Comments regarding landscape and landscape impact. Recommends: Landscape and Visual Impact Assessment (LVIA) will be required as

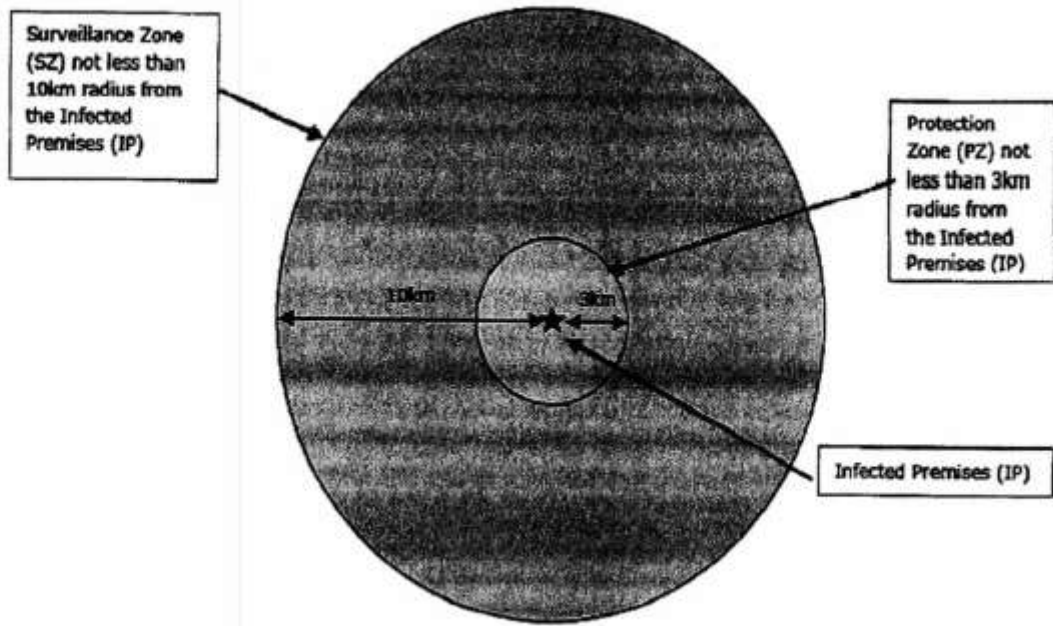
				<p>part of EIA.</p> <p>Assessment of loss of habitat</p> <p>Details landscape and maintenance plan and specification</p> <p>Detailed boundary treatment plan as a planning condition</p> <p>SuDS design proposal is expected for the site.</p> <p>No removal of existing grass verge and trees – additional required</p>
21/2/17	0332/17	Nathan Pittam Enviro. Officer MSDC	Planning Admin MSDC	No objection to the proposed development with regards to land contamination. Any application for development on this site will need to fulfil the local validation requirements as at the point of application.
21/2/17	0332/17	Natural England	Planning Services MSDC	Advice given on what they expect to see in an Environmental Statement.
23/2/17	0332/17	Nathan Pittam Enviro. Officer MSDC	Planning Admin MSDC	No objection to the proposed development. Notes that any application that would result in the total number of chickens of over 40,000 individuals will result in the need for the application to be in receipt of an Environmental Permit.
24/2/17	0332/17	Rebecca Styles Heritage Officer MSDC		Recommends as Heritage Impact Assessment. The proposal has the potential to effect the setting of GI listed St Marys Church and GI* Guildhall to the SW of the site and GI* Yaxley Hall to south
27/2/19	0332/17	Jason Skilton RM Floods Planning SCC	Planning Admin Gemma Walker	The section 7 drainage is very vague and does not give much assurance over how they are to manage surface water. It does suggest that they will, where possible, re-use the surface water. A clearer statement is required on how they will meet the requirement of NPPG and local policy on flood risk and the disposal of surface water drainage.
3/3/17	0332/17	Graham Steel Environment Agency	Gemma Walker MSDC	Details requirements expected to be addressed in EIA: Volume of water plan likely to require Disposal of foul water Environmental Permitting (England and Wales) Regs. 2016 (EPR) with regards to permit under section 6.8 Part A(1)(b) of EPR if relevant threshold of 50 tonnes of carcass production capacity is met. Slaughterhouse regulations Water environment – preliminary Risk Assessment needed

				Surface Water management – further details required.
9/3/17	0332/17	Kyle Porter Dev. Man. Techn. SCC – Highways	Gemma Walker MSDC	References response dated 20/2/17 (<i>no copy on portal</i>) when additional information requested: <ul style="list-style-type: none"> - Transport assessment (estimate vehicle movements) - Construction management plan (vehicle movements for construction purposes)
14/3/17	0332/17	David Harrold Enviro Health MSDC	Gemma Walker MSDC	No adverse comments to make. Advise: that any mitigation measures should be evaluated in terms of protecting residential amenity in addition to Env. Agency's permitting regime.
15/3/17	0332/17	Yaxley Parish Council	Planning Admin MSDC	Asked for the following to be addressed: Impact of wind direction on emissions Visual impact Impact of expected massive increase in vehicle Environmental impact on infrastructure in the areas – particularly inc in traffic through Yaxley as often used as a short cut to A143 at Wortham Impact on MSDC Eye Airfield Development Brief which had this area as a buffer to reduce environmental impact.
16/3/17	1082/17	Freeths	Dylan Jones MSDC	Further to telephone conversation. Request for planning authority to provide a formal screening opinion to confirm whether the proposed development described in the letter is Environmental Impact Assessment development. Aware that Scoping Opinion request submitted by Trundley Design Services (ref 0332/17) but, as discussed their client and Trundley Design have asked for Freeths to first establish whether an EIA is necessary. Map attached: 17-L07-P004
23/3/17	1082/17	DYJO Planning Services MSDC		Environmental Impact Assessment – Part II Screening Opinion Environmental Impact Assessment is not required.
23/3/17	0332/17	Dylan Jones MSDC	Ian Trundley Trundley Designs	Advising that following the screening opinion that Mark Bassett from Freeths had sent, he has concluded that the Crown Chicken proposal at Eye Airfield does not require an Environmental Statement. Asks for Mr Trundley to

				email and tell him that he would like to withdraw scoping opinion.
23/3/17	0332/17	Ian Trundley Trundley Designs	Dylan Jones MSDC	“Thank you for your email and we confirm the withdrawal of the Scoping Opinion submitted for the project”.



Appendix 7



Where low pathogenic Avian Influenza (LPAI) is confirmed a 1km Restricted Zone may be applied
In the event that high pathogenic Avian Influenza (HPAI) is confirmed additional measures and restrictions will be applied to the PZ and SZ

Section 6

Animal Health (APHA) imposed control zones

When a case is suspected a temporary control zone (TCZ) will be enforced by APHA, following confirmation a Protection Zone (PZ) and Surveillance Zone (SZ) will be placed around the Infected Premise (IP)

HPAI in captive birds and poultry

A PZ and SZ will be declared. A Restricted Zone (RZ) will also be declared if HPAI H5N1 is isolated

LPAI in captive birds and poultry

An LPAI Restricted Zone will be declared

PROTECTION ZONE

Poultry must be isolated and housed (where possible) and protected from wild birds

Dead birds can only be disposed of following veterinary instruction

No poultry, litter, eggs, other livestock can move in or out of the Zone

Strict biosecurity enforced with disinfectant to Poultry Orders

SURVEILLANCE ZONE

No movement of poultry or mammals (including pigs) to or from premises holding poultry

Records of all movements of poultry/eggs

Litter, dirty water cannot be moved/spread

Strict biosecurity enforced with disinfectant to Poultry Orders

Appendix 8 – see separate document

Notifiable Avian Disease Control Strategy for Great
Britain Last updated September 2019