

**SHADINGFIELD, SOTTERLEY, WILLINGHAM AND ELOUGH**

**JOINT PARISH COUNCIL**

**Minutes of the Extraordinary Planning Meeting  
of the Parish Council  
held at Shadingfield Village Hall on  
Tuesday 4<sup>th</sup> February 2020 at 7.00 pm**

**Present:** Cllr Ellis (Chair), Cllr Chipperfield, Cllr Gartley, Cllr London, Cllr Parsons, Cllr Potter, Cllr Sheldrake. Richard Ellis (acting Clerk), 50 Members of the Public, including the applicant and his representatives.

**EPM01/20 Apologies and absence**

Cllrs. Scuffil, Wilson and Barne. District Cllr Cloke and County Cllr Ritchie. Mrs Andrea Carr (Parish Clerk)

**Cllr Ellis announced that the meeting is recorded by the Council only for the purposes of accuracy of the minutes of the meeting. Once the minutes are agreed the recording is destroyed. She asked that no covert recording take place among the members of the public, either audio or video. It is permissible but must be declared before the meeting commences. The members of the public were advised that anyone wishing to speak will have their name recorded in the minutes and these will be available on public display on the Parish Council website.**

**The public were advised that on entering the meeting they recorded their name, any declaration of interest and whether they wish to speak. This has been done to validate the voting figures. If anyone wishes to speak that hasn't declared this, they may have an opportunity at the end if there is time.**

**Cllr Ellis informed those present of the structure of the meeting.**

**EPM02/20 Declaration of interest personal or prejudicial to this application**

There were no declarations of interest from Councillors.

**EPM 03/20 The meeting is declared open for Planning Application:**

DC/19/2195/FUL Land Adjacent to West End Farm, Mill Lane, Shadingfield, Beccles, Suffolk. NR34 8DL

To build 3 no. poultry houses with associated admin block and feed bins.

The meeting is declared open. Cllr Ellis explained that the main purpose of the meeting was for the Parish Council to hear the views of residents with regard to the above planning application. Also, since the applicant, Mr Daniel Merrells, was present with advisors and other parties, there would be an opportunity for residents to ask questions concerning the application and to seek clarification or further information as applicable. Residents were advised that, in addition to attending this meeting, they are strongly encouraged to write to East Suffolk Council [ESC] expressing their support for or objection to this application. Cllr Ellis advised those present that the deadline for the submission of comments to ESC had

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been extended to 1st March 2020, and that following this meeting, the Parish Council would be writing to ESC expressing its views and including any relevant additional comments from residents.

There would be an indicative vote to gauge the initial feeling of residents, opportunity for residents and representatives of the applicant to speak (limited to a 3 minute statement per person, in accordance with Standing Orders), a question and answer session (time permitting), comments from Councillors, a second public vote then a vote by the Council. All contributors were asked to keep their contributions relevant and polite.

Johnny Rankin (Parker Planning Services) [PPS] was asked by Mr. Merrells to give a brief background to the application. PPS had produced the environmental statement for the application which had originally been made in May 2019. The Planning Authority regarded the original application as incomplete because of the absence of an environmental assessment. ESC required the following subjects to be assessed: odour, air quality, noise, drainage, ecology, landscape and heritage. Each subject was covered by experts in their field. A transport assessment is being performed to consider the impact of vehicular movement on Mill Lane (from the A145). PPS are aware of the concerns of residents in particular with reference to the traffic impact and odour. 1098 additional vehicular movements are predicted per year. Vehicular movements will peak at particular points in the growing cycle. County Highways will be the recipients of the traffic assessment. The statement shows that there will be odour related to the application and the proposal will have to meet applicable Environmental Agency and IPPC standards. Odour and Noise in particular have been modelled.

At this point, an indicative show of hands of residents was requested; Cllr Ellis asked that of those present, only those who live within the Parishes should vote.

10 voted in favour of the application, 28 against and 11 voted as abstentions or undecided. It was reiterated that this was purely an indicative count to assess the general view of residents.

Mr Clive Mackrow was invited to speak. He stated, in his opinion, he was the closest resident to the proposed poultry sheds, which he would prefer to describe as a factory. His house is sited some 500m from the proposed location for the sheds and he noted that the pollution report (in his opinion) is misleading as it 'averages out' the wind direction. Looking at the past 10 years of data, for 56 months the prevailing wind is from the West or South West. For only 3 months, in aggregate, does the wind blow from the East (i.e. away from the villages of Shadingfield and Willingham. The transport report does not include construction traffic. A fatality on the A145 was not mentioned in the report. The relevance (or not) of this fatality should have been considered. He concluded that the application should be objected to on the grounds that it would have a material impact on the hundred plus houses in the villages due to pollution (i.e. odour in particular) and additional traffic, whereas only one person (the applicant) would benefit. He urged attendees to look at his response on the ESC planning website, which covered these points in more detail.

Mr George Fisher, uncle of the applicant, noted that the fatality on the A145 was a priest wearing dark clothing at night and the fatality was at the junction with Sotterley Road, not Mill Lane. He distributed aerial photos of seven poultry sheds in Thorington. He said that he had rung the High Lodge Leisure centre (located near to the A12) to enquire about the level of odour and other matters from the chicken sheds (located on the other side of the A12) and was answered with 'What chicken sheds?'. He noted that the chickens in the proposed facility would be grown according to DEFRA rules. These chickens would be supplied to various outlets including Morrisons and local pubs. He conceded that he lived in Beccles and

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was not a resident of the Parish (despite being active in community activities in the Parish)

Mr Lee Osman commented that he had visited estate agents in Beccles that morning to find out what effect the proposed development would have on property values in Shadingfield. He reported that the likely effect would be a 25% fall in property values. He urged those present to check this opinion for themselves. Furthermore, he requested that attendees search online using phrases such as 'Living near chicken sheds' and decide for themselves on the desirability of doing so. He referred to the situation as being 'a nightmare' and 'being prisoners in our own homes'. He noted that the wider community in Shadingfield would gain nothing from the proposed development, only Mr Merrells. He referred to the loss of use of gardens in the summer and, in his opinion, the proposal would 'affect all residents and ruin lives'. He referred to the 'industrial nature' of the proposal with 140,000 chickens reared and a predicted mortality rate of 5,000 birds per cycle.

Ms. Devina Bond then spoke. She had moved to the Parish a year ago from Worlingham. Worlingham residents were told when the bio digestion unit (at Ellough) and turkey factories were proposed that there would be no smell. But during the summer in particular, the smell goes from Ellough to Worlingham, and as a resident you cannot get rid of the smell. This had been a major factor in her decision to move from Worlingham to Shadingfield. She enquired whether the subject of the chicken sheds had been included in the [draft] Neighbourhood Development Plan. (This point is addressed later by Cllr. Potter).

Charlie Davidson, proposed contractor for the sheds then spoke. He noted that his company had built a significant number of chicken sheds and he had not been made aware of any complaints after poultry sheds had been built. He noted that once the sheds are up and running, they are required to comply with RSPCA and Environment Agency standards, and if these bodies receive complaints, they could respond. He doubted that the proposals would be as disastrous as Mr Osman thought it might be.

Tom Keating, resident of Mill Lane, noted that the transport assessment omitted to cover the damage to Mill Lane that would result from additional heavy goods vehicles, particularly with respect to turning into and out of Mill Lane. He noted that noise, pollution and dust would damage the houses of residents on Mill Lane. He noted that Mill Lane is narrow and additional HGVs would (potentially) damage footings through vibration. Currently, articulated lorries on the A145 rattle glasses in his house. Given his experience in the building trade he felt he could speak knowledgeably on the potential structural damage to houses and Mill lane, which he described as a 'tight little bend' when turning off the A145.

Stephen Foss (resident on A145) also noted that accidents on the A145 had not been noted in the traffic report, including one in 2019. And although Mr Bainbridge (PPS) was correct that the A145 is part of the unrestricted lorry route network, Mill Lane is not. Mill Lane is not built for HGVs.

Mrs Sherri Mackrow (Mill Lane resident) asked why there was nothing in the reports about health and respiratory issues for humans. If residents become ill as a result of the proposed application, who has legal responsibility? It seemed that the Government acknowledged the health risks associated with poultry farming, but there was no mention of health risks in the report.

Mike Potter, a resident in Shadingfield, commented that ventilation systems in the farming industry are often better than in residential accommodation. The talk of pollution was nonsense in his view. Only rarely would there be any odour and he did not know why there was such fear over the proposal. In response to this, Phil Bond stated that both the turkey farm and the bio digestion unit at Ellough were described as

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'state of the art' but he can smell both of them whenever he drives past them.

There were no further statements from the floor, so the meeting moved into a Q & A session.

Cllr Potter asked if further clarification could be given regarding the disposal of excrement. Charlie Davidson, speaking on behalf of the applicant, responded that litter could only be spread on surrounding land at certain times. The biodigester could use chicken litter and it was a good source of fuel for the power station. Litter would not be stored at the site and it could only be moved in sealed containers. Five or six truck and trailer loads would be removed at the end of every cycle (7 per year) and the sheds would be empty of chickens for 8 - 10 days between cycles. It was envisaged that there would be around 20 truck movements per day at cycle end, but no one was able to comment on whether those truck movements would be at night or not (it is common practice to bring chickens under cover of darkness as they are less active at night). It was noted that the Planning Authority could restrict the timing of vehicle movements if necessary, for residents.

Mr Keating asked if some indicative noise levels could be given for these vehicle movements. Mr Davidson and PPS referred to the report but stated that much of the activity would be 'hardly audible' in their opinion. There would be some proposed planting to help address noise and pollution concerns. Landscaping would be within the redlined site areas. The noise assessment on page 9 shows plant noise; traffic noise is outside the scope of the report.

Mr Keating said that the subject of traffic noise and damage on Mill Lane did not seem to be covered in the noise assessment document. It was clarified that this matter comes under the subject of 'amenity' and should be addressed by the Planning Committee, not the applicant.

After some lengthy discussion, it was noted that the contractor would be in charge of lorry movements and the matter of night-time loading and dispatching of chickens in two convoys of 10 HGVs directly in front of the residential properties on Mill Lane would have to be covered elsewhere as PPS could not give assurances on this subject.

In response to a question from Mrs Ros Russell (resident), the contractor estimated that the construction time period for the development would be approximately 4 months if a five and a half day week was observed.

Mr Osman noted that the ventilation fans would be running 24 hours a day, thus denying residents quiet enjoyment of their homes and the surrounding countryside. This would particularly apply in summer when residents would want their windows open and fans would be operating at more than the minimum of 25% capacity. Mr Bainbridge commented that noise, dust and pollution were matters for the Local Authority (and Environmental Agency) to check and ensure standards would be met if the facility were to commence operation. Such points, if they are of concern to residents, should be put in writing to the Planning Committee, particularly as different standards apply between day and night.

Angela Morris, (resident) repeated her earlier enquiry; she had moved into the parish in 2019 and this was the first opportunity she had had to hear about this proposal. Was this proposal considered in the draft Neighbourhood Development Plan (NDP)? Was it consistent with the NDP? And who was responsible for considering proposals such as this in the context of the NDP?

Cllr Potter, who is also team leader of the NDP working group responded that the NDP is essentially

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complete and ready for review by the Council Planning Committee. He confirmed that the NDP considers issues relevant to this proposal but is not designed to address specific development proposals. The NDP states that residents are very keen to maintain the rural character and tranquillity of the parishes away from the Ellough Business and Industrial Zone. The plan emphasises the need to protect the setting of historic buildings. Although the NDP is still in draft, the Council will take account of policies and objectives of the NDP. Cllr Potter clarified that the Waveney Local Plan identifies certain housing proposals where approval has been given in the past, and states how other future proposals might be considered in different parts of Waveney. The NDP for the parishes then takes the Waveney Local Plan down to a further level of detail with respect to the parishes. In short, when the Parish Council and the Planning Committee consider this application, they should look at if this proposal contravenes or is in accordance with the relevant policies of the Waveney Local Plan or the NDP. In summary, the proposed application would be reviewed in the context of these two plans and not in isolation. Cllr Ellis stated that it was vital residents understood the importance of having an NDP and one which represented their views so that the respective councils have a context in which to review planning proposals.

There then followed a difficult few minutes of discussion concerning whether a person standing at the end of Mill Lane could smell or hear the facility if it were up and running. This discussion was inconclusive, foundering on what was the definition of 'hear' and statistical variance. It was agreed that these questions again centred on the subject of 'amenity' because a person probably would be able to hear the facility sometimes and probably would not be able to smell the facility most of the time, but whether the extent of the odour or noise might constitute a nuisance was subjective and a matter of opinion.

Mr Clive Mackrow referred to the assessment document. He noted that the document stated a minimum four-year observation period was required to ensure that a model could be considered viable for pollution assessment purposes. The report was, however, only using a four-month observation period, so the reliability of the findings could not be considered acceptable. He noted that the red cloud of pollution reached 750m from the factory and therefore crossed the A145 and effectively covered the whole of the village north of Mill Lane. This needs to be taken into account for amenity purposes.

He also noted that the traffic report discussed the subject of turning circles and angles into the site itself, but did not discuss turning into and out of Mill Lane onto the A145 at all. This was a major omission in his opinion.

Mr Merrells stated that the HGVs would be turning left out of Mill Lane. Given the width of Mill Lane, this would be a material matter for consideration in view of the potential number of articulated HGVs making this turn on end of cycle days.

Mr J Rankin noted that odour might be considered an amenity issue given that there would be three units in the field on Mill Lane and three units could potentially be considered an annoyance from an amenity perspective.

In answer to a question from Cllr Ellis, Mr Rankin confirmed that there were no air filters on the facility that would prevent small particle pollution. The fans function only to draw fresh air through the facility to create a dry environment, and stale air is expelled untreated into the atmosphere. Keeping the environment 'dry', reduces the nitrogen produced which when wet and mixed with the chicken excrement creates ammonia. Mr Merrells said that the particulate matter should not reach residences because of the distance and screening; Cllr Ellis said the fans are more than 5 metres high and she was not assured that planting

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would mitigate this pollution of unfiltered waste air with dander, feathers and other particulate being released into the atmosphere.

It was noted that fans would run at full capacity on days where temperatures reached 30c or during the last 10 days of the cycle (so, a minimum of 70 days a year, likely closer to 100). Mr Osman also noted the likely amount of dust generated when cleaning out the sheds (7 x per year) which once again would need to be taken into account from an amenity perspective.

It was stated that the UK had amongst the highest welfare and environmental standards in the World, however Mr Osman noted that Grange Farm in Eye had been heavily criticised in a report recently for failing to meet UK standards; cases such as this were not reassuring to residents.

Mr Osman asked whether the sheds could be located further to the West (i.e. to the West of Mr Merrells' farm), thus significantly increasing the distances from residences on Mill lane and still located on Mr Merrells' land. While this would not address the traffic issues, it could significantly reduce the environmental, noise and odour issues for residents. Mr Merrells replied that the costs would be higher to him and therefore the facility might not be economically viable in such a location, principally because of the availability of 3 phase electricity and water, and the narrowness of Mill Lane further up. Also, the Grade II\* Monument of Moat Farm precluded moving the proposed development to the immediate next field.

It was noted that there are effectively no passing places on Mill Lane except for residents' grass verges, which are occasionally damaged by cars and tractors at current volumes. If trucks are to move in volume (ie. convoy), it is difficult to see how the additional traffic can be accommodated without more passing places. Such passing places could not be created without relocating telegraph poles on one side of the road or infilling a drainage ditch on the other. This is an urgent and important practical matter to consider that the existing transport report does not adequately cover and Cllrs Gartley and Ellis expect to be addressed by Highways.

There being no further questions from the floor, the meeting was closed for public contributions and Cllr Ellis invited comments from Councillors.

Cllr Parsons expressed concern that the prevailing winds are from the West, South West and North West for at least nine months of the year and this would mean odour is an issue from an amenity point of view. He also had concerns over the additional vehicle movements, 6 - 10 vehicles a day during parts of the cycle; Mill Lane is not an easy junction to pull out of in a car, and this issue needs to be considered carefully in respect of the impact of these HGVs.

Cllr Gartley shared Cllr Parsons' and others concern over the impact of the increased traffic, and highlighted that Mill Lane is a key access point to the East Coastline National Walking Path.

Cllr Potter wished he could support the proposal but he felt that the proposed development was simply in the wrong place. As a Council, we would need to object to the proposal in order to express concerns over matters such as traffic volumes, not just on residents but also on pedestrians, since Mill Lane is part of a 1-mile loop footpath which is heavily used by dog walkers and residents taking exercise. Also, the pedestrians would be in close contact with potentially strong odours on the farther reaches of Mill Lane. There are other concerns that need to be raised over the continuing proximity of the development to a Grade II\* listed building (Moat Farm) and both the Local and Neighbourhood Plans express concern over protecting the setting of heritage assets. These concerns should be brought to the attention of the Planning

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Committee. We need also to raise our concerns over the extent of odour and noise and their impact on residents with the Planning Authority.

Cllr Sheldrake shared the concern of others with regard to traffic volumes.

Cllr London noted that the Shadingfield Fox pub, located on London Road (A145) is directly within the larger pollution area and could be materially adversely affected if its rear garden were subjected to foul odours. The pub is a social hub and amenity for the village and there is no other similar amenity within three miles to the North or seven miles to the South, East or West. It is an employer of residents in the Parish who would lose their jobs if the pub were to close.

In response to the assertion that chickens will be produced to the highest welfare standards, Cllr Ellis said that the proposed development appears to be to produce the lowest quality chicken meat that is legally permissible for commercial production in the UK. This is a type of development and meat that the UK Government is encouraging the population to eat less of, and society is increasingly finding unacceptable. The proposal does not bring economic benefit to the wider village and the only person in the village who will enjoy any benefit from this development is the applicant, who is already in full time employment in a non-related area. Conversely, this development would likely have a materially negative effect on one of the few employers in the village, the Shadingfield Fox, which is also an amenity and social hub of the village. The prevailing winds would potentially render the beer garden unusable. The loss of the Fox would be disastrous for the village. Evidence in the transport report has been selective and the impact on walkers, residents, horse riders and pedestrians using Mill Lane has been materially underestimated and is dismissive of the issues arising. The traffic implications are unacceptable for this single-track lane with bordering residences. When drafting our response to this application we will consider the NPPF, NDP, Green Infrastructure Strategy and Landscape Character Assessment (and any other relevant documents).

Cllr Ellis then called for a final vote on the proposed development by residents, and reminded non-residents that they should not vote. The results were:

In favour : 5  
Against: 40  
Abstentions: 3

The Council then voted on the proposed development.

Against the application : 6

Abstain: 1

There were no votes from Councillors in support of the application.

Cllr Ellis thanked everyone for their time and contributions and advised that the Council's response letter objecting to the application will be sent to ESC and published on their website.

**EPM04/20 To note the next Ordinary Meeting of the Council will be held on Wednesday 19th February 2020 at 7pm at Shadingfield Village Hall.**

Meeting Closed 20:40

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