

**Application PF/20/0523 – Construction of 15 grain silos and Warehouse, associated drainage, access and external lighting- Phase 1**

**Ryburgh Parish Council Response: OBJECT**

**1. Principle of Proposals**

Subject to it having no detrimental impact on the surrounding environment, highway infrastructure and its operation, there is no issue with allowing a successful business to expand in a rural location. Both local and national planning policy support such development recognising the social and economic benefits deriving from it. However, this does not translate to economic development in all situations. As set out in paragraph 83 of the NPPF this needs to be "sustainable growth and expansion".

Intrinsic to delivering sustainable development are the three distinct objectives (Para 8 NPPF), along with the economic objective (but no less or more important) are the social and environmental objectives of 'sustainable development'

It is well established that in considering the delivery of sustainable development none of the three objectives can be slavishly followed without due regard to the others. Therefore, whilst it may be appropriate for some further expansion at the site in Ryburgh, due regard must be given to ensuring this does not have an unacceptable impact upon the community of Ryburgh; upon the safety and function of the highway network adjacent to the site and leading to the site ('the social objective') and that the development protects and enhances the natural, built and historic environment of the village ('the environmental objective').

Paragraph 84 of the NPPF highlights that in making decisions on applications in rural locations it is important to "ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads .. "

It is therefore, imperative that any growth and expansion of the Crisp Maltings site in Ryburgh is sensitive to its environment, rural location, the surrounding users and residents, landscape, the intrinsic character and beauty of the countryside and does not have an unacceptable impact on the operation and safety of the local highway network. These are dealt with in detail below.

**2. Residential Amenity**

The village has grown in a linear fashion on either side of the single road (named Station Road at the Eastern end and Fakenham Road at the Western end) which is the high street of Great Ryburgh with the vast majority of its dwellings and residents living directly on this road or immediately off this road. Due to the location of the application site and the proposals all traffic into and out of the existing factory and the application site will necessarily pass through the village and past residents windows, doors and gardens. Due to the historic character of the village many of these are in very close proximity to the highway. Many are also within close proximity to the three entrances to Crisp Maltings all of which are in the centre of the village where the HGV's create most noise, fumes and pollution, turning, stopping and starting, braking and accelerating.

Therefore, the amenity of nearly all residents will be significantly impacted by any proposals that lead to additional vehicular trips whether small vehicle or HGV through the village. It is not a standard case as seen in many towns and villages and business/industrial developments, where the immediate locality around the perimeters of the site are affected. This is very different. Nearly the entire village and its residents will be harmed by additional traffic movements to and from the site. Whilst this has been accepted in the past because it relates to an historic use in planning terms, this does not mean that it is acceptable in planning terms to allow an unsympathetic neighbouring use to continue to expand.

The noise, vibration, dust and disturbance of HGV traffic passing residents bedroom windows from the hours of 6am through to 10pm at night (**and all through the night should the applicant choose to manufacture 24 hours**) cannot be underestimated given the sheer proximity of these to the highway and the facility. The impacts on sleep, health and well-being and residential amenity of all of the families and occupants along Fakenham Road and Station Road if HGV traffic is increased would be severe.

Policy 1 of the NDP is that development that will result in additional HGV traffic in the village high street will not be supported.

### **3. Transport/ Highway Impacts**

The Applicant's supporting information rather quickly concludes that if the Phase 1 expansion takes place, there would be no additional HGV traffic from the facility because the proposals in Phase 1 would not increase production but simply provide additional on-site storage. This would appear to be wishful thinking. The proposed 15 new silos would have a combined storage capacity of 45,000 tonnes and unless they are intended to stand empty, they will be the subject of HGV movements to fill them, in addition to the existing level of HGV movements arising in relation to the existing silos. If a single HGV has an average load weight of 29 tonnes, filling of the new silos will require a minimum of 1,551 movements. **It is essential to appreciate that the 115,000 tonne pa limit upon production of malt produced does not limit the number of HGV movements that are a primary source of nuisance to the village, it relates only to the quantity of malt produced.**

Further, "malt produced" may be packaged in different ways, requiring different volume of carriage. The application contains no information upon the increase or otherwise of vehicle movements arising from the new production and bagging of malt intended by Crisp in the proposed new warehouse.

**It is therefore regrettable that the applicant's Transport Assessment does not even consider nor address traffic movements generated from the phase 1 expansion. It is simply based on an assumption.**

There is no detail in the application of when the critical new road infrastructure will be in use. No information on its deliverability, funding, land ownership/tenancy agreements, the mechanisms and the timescales for land purchase; or whether there are option agreements for the land required etc. Without such detail and information, neither the application for phase 1 or application for phase 2 can be fully considered, their impacts assessed, nor can any reasonable decision maker conclude that such proposals are compliant with the development plan and that all material planning considerations have been taken account of.

#### **4. Environmental Quality and Character of the Village**

Policies SS4, EN2 and EC3 of the Core Strategy require that in every application the environment and character of the site, surrounding countryside and village are protected. Due regard must be given to the amenity and environment of the village at the heart of which are the entrances and exits which all traffic including additional HGV traffic will use irrespective of which direction they come from.

It is important that a wider impact on the environmental quality of the village as a whole is given sufficient weight when making a decision. Rather than simply assessing the impacts on the environmental quality of a specific area around a site, the impacts will be felt by the whole village, not only through disruption to its daily life for its residents and the other businesses, but the environmental quality within which the community live and work. Any additional HGV movements have the potential to further harm the character, amenities, and qualities of the countryside and this rural village.

**In light of the above, it is imperative that the figures for HGV movements are accurate and robust, in order that first, an accurate assessment of the impacts of the proposals can be made, and secondly that this impact can then be appropriately weighed by the members and officers of the LPA.**

#### **5. Environmental Statement**

Paragraph 170 (d) NPPF requires planning decisions to provide net gains for biodiversity. The Environmental Statement submitted by Crisp in support of its applications reveals a net loss of habitat and no assessment of biodiversity, nor is there any mention of a Landscape and Ecology management Plan for the post-construction period. Crisp promise high quality habitat areas but no suggestion as to how these might be achieved. In addition, the areas potentially set aside for these are clearly too small to replace the habitat lost, nor to provide a net biodiversity gain.

Crisps ecological data search relied upon in its applications does not pick up records of great crested newt and slow worm in the immediate vicinity of their proposed developments. This is surprising as sightings by neighbouring occupiers were submitted to NBIS. **Another significant error is the existence of a good sized pond (at TF 952 275) within a few metres of the site where 50 houses are proposed. The pond was not surveyed by Crisp or its agents. The owners confirm the presence of great crested newt.**

In these circumstances the Environmental Statement relied upon by the applicant is defective. Some of the land the applicants seek to develop is important and valued habitat and proper consideration for the protection of the ecology should be given before any development is permitted.

This particularly applies to the 165m of mature and wildlife-rich hedgerow (designated G7) due for removal to permit the housing development. The photo below (taken from the “housing” field) also shows how much this hedgerow screens the existing silos from the west.

Yet its removal somehow represents one of the “minor adverse” effects from the development (Environmental Statement NT Summary, p 38). This long, mature, and diverse hedgerow is also strangely described in the Arboriculture Assessment v2 (p21) as a “field boundary group”, and then on p7 the same report concludes that “the proposal would include the removal of T4 and G7; both are of low overall value and their removal will have no material effect on arboriculture

or landscape values of the area". It is also interesting to note that none of the bat detectors or reptile traps in the Ecology Assessment were placed along the length of this hedgerow, which runs north to south almost through the centre of the development area. Instead they were focused around its northern and western boundaries

## **6. Landscape Impacts / Character of Countryside**

Policies EN2, EC3 require that the proposed development protect and not harm and, where possible, enhance the character and special qualities of the countryside including the village of Great Ryburgh and wider parish. The site is located in a valued landscape within the Wensum Valley and in the centre of a rural village in the open countryside. The existing facility, silos and associated buildings are visible from a number of public vantage points in both short distance, medium distance and long- distance views. The existing facility is also readily apparent in the hours of darkness from long distance views along the Norwich Road (A1067) to the east and the Fakenham Road to the west. Whilst it is appreciated the existing facility and its buildings form part of the sites context, it is clear from various points in the village and surrounding area that the facility has had a detrimental impact on the character and openness of the landscape. Careful consideration therefore needs to be given to the proposals. Their height, siting and the provision of landscaping is fundamental to ensuring the proposals do not further harm the surrounding landscape and openness of the countryside.

## **7. Heritage Considerations and Implication**

The potential impacts on the setting of the Great Ryburgh Conservation Area has not been considered or assessed in any detail in the application and appear to have been scoped out of the Environmental Statement. This fails to understand that the Conservation Area is significant in character and size and incorporates large open areas of the River Wensum valley, the surrounding meadows and the disused railway line to the Maltings. It also includes the fine historic road network running through the village. It also includes low lying and higher level areas either side of the river where views are currently experienced of the Maltings facility and the existing silos.

Given that the existing facility and the silos are readily apparent from views into, through and out of the Conservation Area, it is considered that failure to even consider there would be a potential impact on this nationally important heritage asset is contrary to **policy EN8 of the Core Strategy** and **the policy guidance of objectives of section 16 of the NPPF**. **Indeed, paragraph 2.8 of the Planning Statement even fails to appreciate there is a Great Ryburgh Conservation Area. The failure to even provide an assessment is considered contrary to paragraph 189 of the NPPF which requires all applications to be suitably supported by appropriately detailed heritage assessments.**

**The LPA should be aware of its statutory duty under section 72 of the Planning Listed Building and Conservation Areas Act 1990 (As Amended), to give special attention "to the desirability of preserving or enhancing the character and appearance of that area". In the absence of consideration by the applicant it is hard to see how the LPA can carry out its statutory duties under the above Act.**

## **Conclusions**

Some limited expansion of the facility that does not significantly increase traffic movements and is sensitive to the character and qualities of the surrounding environment would be acceptable and align with the policies contained in the development plan and the NPPF. However, any proposal that significantly increases movements into and out of the site; increases the noise levels; odour levels experienced by the village and its residents would be clearly contrary to paragraphs of the NPPF and policies of the Core Strategy, and also the policies of the emerging Local Plan (albeit given limited weight at this time) and also the emerging Neighbourhood Development Plan (albeit also given limited weight at this time). Accordingly, any such proposals should be refused. Before being able to make a decision on the application in any regard both officers and members need to be able to make a proper assessment of the impacts of the proposals and give due weight to matters based on sound and reasonable data and judgements with which they are not presently provided.