

SITE PLAN ATTACHED

**CHEALE MEATS LTD ORCHARD FARM LITTLE WARLEY HALL LANE WEST
HORNDON LITTLE WARLEY BRENTWOOD ESSEX CM13 3EN**

**CONSTRUCTION OF MEAT PROCESSING BUILDING (USE CLASS B2), ONE HGV
MAINTENANCE BUILDING (USE CLASS B2) AND ONE FOOD STORAGE
BUILDING (USE CLASS B8) WITH ROOF MOUNTED SOLAR PV PANELS, NEW
ACCESS AND STAFF PARKING, ENHANCED LANDSCAPING, SUSTAINABLE
DRAINAGE AND A COMBINED HEAT AND POWER PLANT.**

APPLICATION NO: 22/01205/FUL

WARD	Herongate, Ingrave & West Horndon	13 WEEK DATE	22 November 2022
PARISH	West Horndon	Extension of time	tbc
CASE OFFICER	Mr Daryl Cook		

**Drawing no(s)
relevant to this
decision:** 001/A; 002/E; 003/A; 004/A; 007; 008; 008/A; 009;
010; 011; SG (Illustrative Structural Planting Strategy);
WIE17721-100-R-1-1-5_AQA - Air Quality Assessment; Badger
Survey Technical Note; Health Impact Assessment by Icen
Projects; Arboricultural Impact Assessment prepared by Simon
Jones Associates; Contaminated Land Preliminary Risk
Assessment prepared by Waterman; Design and Access
Statement prepared by Icen
Projects; Flood Risk Assessment
and Sustainable Drainage Strategy prepared by Icen
Projects; Landscape and Visual Impact Assessment and Green Belt
Assessment prepared by CSA Environmental; Noise Assessment
prepared by Waterman; Preliminary Ecological Appraisal
prepared by CSA Environmental; Sustainability and Energy
Statement prepared by Icen
Projects; Transport Assessment
prepared by Icen
Projects; Travel Plan prepared by Icen
Projects;

This application has been referred to Committee on the basis that Officers consider this proposal would “*have significant policy or strategic implications, including departures from the approved development plan which would require referral to the Secretary of State*” if approved (Part B, paragraph 2.1, pg.204 of the Constitution v27.07.22).

1. Proposals

Planning permission is sought for the “Construction of meat processing building (Use Class B2), one HGV maintenance building (Use Class B2) and one food storage building (Use Class B8) with roof mounted solar PV panels, new access and staff parking, enhanced landscaping, sustainable drainage and a combined heat and power plant” at Cheale Meats Ltd, Orchard Farm, Little Warley Hall Lane, West Horndon, Little Warley, Brentwood, Essex, CM13 3EN.

2. Policy Context

The Development Plan

Brentwood Local Plan (2016-2033) (BLP): The Brentwood Local Plan 2016-2033 was adopted as the Development Plan for the Borough on 23 March 2022. At the same time the Brentwood Replacement Local Plan, August 2005 (saved policies, August 2008) was revoked.

- Policy BE01 Carbon Reduction, and Renewable Energy
- Policy BE02 Water Efficiency and Management
- Policy BE03 Establishing Low Carbon and Renewable Energy Infrastructure Network
- Policy BE04 Managing Heat Risk
- Policy BE05 Sustainable Drainage
- Policy BE07 Connecting New Developments to Digital Infrastructure
- Policy BE09 Sustainable Means of Travel and Walkable Streets
- Policy BE11 Electric and Low Emission Vehicle
- Policy BE12 Mitigating the Transport Impacts of Development
- Policy BE13 Parking Standards
- Policy BE14 Creating Successful Places
- Policy PC01 Safeguarding Employment Land
- Policy PC02 Supporting the Rural Economy
- Policy NE01 Protecting and Enhancing the Natural Environment

- Policy NE02 Green and Blue Infrastructure
- Policy NE03 Trees, Woodlands, Hedgerows
- Policy NE04 Thames Chase Community Forest
- Policy NE08 Air Quality
- Policy NE09 Flood Risk
- Policy NE10 Contaminated Land and Hazardous Substances
- Policy NE11 Floodlighting and Illumination
- Policy MG01 Spatial Strategy
- Policy MG02 Green Belt
- Policy MG03 Settlement Hierarchy
- Policy MG04 Health Impact Assessments
- Policy MG05 Developer Contributions

National Policy and guidance

- National Planning Policy Framework 2021 (NPPF)
- National Planning Practice Guidance (NPPG)
- National Design Guide (NDG)

3. Relevant History

There is an extensive site history for the Abattoir facilities relating to extensions and provision of new buildings in association with the use and is detailed within the supporting Planning Statement.

4. Neighbour Responses

Where applications are subject to public consultation those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link:

<http://publicaccess.brentwood.gov.uk/online-applications/>

This application has been advertised by way of neighbour notification letters, public site notice and press advert. At the time of writing this report, no neighbour representation has been received for this application.

5. Consultation Responses

- **County Archaeologist:**

The Essex Historic Environment Record (EHER) shows little in the way of archaeological evidence in proximity to the proposed development. A collection of cropmarks identified from aerial photographs, located some 700m to the north, appear to show a double ditch linear feature (EHER 18130). 17th-century Little Worely Hall, its associated moated enclosure and 15th-century church, lie 750m to the north-west (EHERs 1872, 1869 & 1870). The closest known area of potential archaeological activity is a series of cropmarks 200m to the east of the development (EHER 48304), however, these have been interpreted as representing recently removed 19th-century field boundaries.

It is unlikely that any of these potential areas of archaeological activity extend into the proposed development site. Therefore, based on our current knowledge, there are no archaeological implications for the proposed development and we would not recommend any conditions for this application.

- **Essex Badger Protection Group (revised):**

Thank you for contacting us regarding this scheme and for providing the updated badger survey note dated November 2022.

No objection in principle. The circumstances of this site and the submitted information make it essential for a further survey to be carried out as close to the commencement of the development as possible and no later than 3 months prior. Other than that, we concur with the recommendations of the latest survey report and have no additional comments to make.

- **Arboriculturalist (10/01/2023):**

In my previous comments of 17th October 2022 I sought clarification regarding the effects on trees and hedging on the east side of Little Warley Hall Lane. The applicant has confirmed that two oak trees growing either side of the proposed new access will require removal to achieve the necessary visibility splays. In addition, the boundary hedge will need to be reduced from its current height of approximately 2.0m to 0.6m.

Having inspected the trees along the route it is agreed that most of them contain significant defects as a result of historic damage. Both of the oaks to be removed have significant damage and decay within the trunks and branches. One tree has

signs of long-term fungal growth. While the trees could remain standing for some time it is likely that they will continue to decline in the short-term.

The landscape strategy has been updated to show how the loss of the two trees and reduction in the height of the hedge will be mitigated. New standard trees will be planted within a woodland buffer of up to 15m wide beside the lane. This new planting would provide future replacement trees for the remaining retained trees which all have signs of decline.

At the moment the planting mix comprises mainly tree species and I would recommend more shrub species be included. The detail of the planting scheme can be finalised through condition. The final landscape scheme would also need to provide details of planting within the site and for the swales.

While it is unfortunate that the two trees would require removal to achieve the visibility splays, it is agreed that the trees contain many issues that are likely to impact on their future viability. The landscape strategy should provide a significant wooded strip that would mitigate for the loss of trees and reduction of the height of the existing hedge.

I have no objection on landscape grounds subject to the successful implementation of the landscape scheme.

- **Arboriculturalist (17/10/2022):**

The site is a U-shaped area of grassland that wraps around the southern side of the existing abattoir buildings to the east of Little Warley Hall Lane and immediately north of the railway.

An LVIA has been submitted with the application. This considered that views of the site are largely screened or filtered from most viewpoints, with the most significant effects being on the residential properties immediately adjacent to the site.

There is an existing hedge with trees on the roadside boundary. The landscape plan and arboricultural report show the hedge being largely retained except for a new access. However the paragraph 5.4 of the LVIA refers to 92m of hedgerow along the western boundary requiring removal as a result of the associated visibility splays. Can the applicant confirm which is correct?

A landscape parameter plan shows the existing perimeter planting being retained and thickened by new planting. No detail has been provided regarding the specification of what is to be provided; however in principle this would be considered appropriate to help improve the screening and ecological value of these features.

Swale features have also been proposed between the buildings. These features could help achieve a biodiversity enhancement if they were appropriately designed (e.g., with graded slopes and sown with a wetland wildflower seed mix and appropriately managed) as they link to the hedges and wooded belt which would ensure connectivity for species.

If the scheme is permitted I would request that there be a landscape condition placed on the scheme requiring a detailed landscape scheme be submitted to, and approved by, the LPA prior to commencement. The scheme should also incorporate the suggested biodiversity enhancement measures.

- **Highway Authority:**

The documents submitted with the planning application have been duly considered and a site visit carried out.

The proposals include the provision of a new site access onto Little Warley Hall Lane to complement the existing access. It is not possible for the new access to be provided with visibility splays that fully comply with highway standards without crossing land under the control of a dwelling by the name of Shiloh. However, it is understood that the current owner of Shiloh, Mr Paul Cheale, is also the owner of the Cheale Meats land. Consequently, it has been agreed that a deed of covenant will be drawn up to ensure that the requisite visibility splays for the new access will be maintained across Shiloh in perpetuity (cf. condition below).

Having reviewed both the submitted Transport Statement and the most recent 5-year road traffic collision data, the Highway Authority is satisfied that, although there will be an increase in vehicle movements to / from the site, the cumulative impact on the safety and efficiency of local highway network will not be unacceptable or severe, which is the criteria for refusal of planning permission as defined in the National Planning Policy Framework.

Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to the following requirements:

1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody washing facilities

Reason: To ensure that on-road parking of these vehicles in the adjoining roads does not occur, that loose materials and spoil are not brought out onto the highway and that construction vehicles do not use unsuitable roads, in the interests of highway safety and Policy DM1 of the Highway Authority's Development Management Policies February 2011.

2. Subject to a suitable legal agreement and prior to first use by vehicular traffic, the access at its centre line shall be provided with a visibility splay with dimensions of 2.4 metres by 110 metres to the north and 2.4 metres by 121 metres to the south, as measured to a point no more than 1m from the nearside edge of the carriageway (as shown in Appendix A4 of the Transport Statement). Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of obstruction above 600mm in perpetuity.

Reason: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

Note: The applicant has submitted a draft deed of covenant between Mr Paul Cheale (owner of the dwelling named Shiloh) and Cheale Meats Ltd. The finalised document must be signed and submitted to the Local Planning Authority prior to any approval of the application. The covenant must secure legal rights over land under the control of Shiloh in order to provide the visibility splay to the north of the newly-proposed access as described above in perpetuity and regardless of title holders.

3. Prior to first occupation of the proposed development, the Developer shall submit an updated workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £6,383 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

4. The proposed development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

5. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facilities shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

Informative recommended.

- **Anglian Water (194208/1/0154354):**

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Informative should be brought to applicants' attention.

The foul drainage from this development is in the catchment of Upminster Water Recycling Centre that will have available capacity for these flows.

Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. A full assessment cannot be made due to lack of information, the applicant has not identified a drainage strategy, with point of connection, discharge regime, and if pumped a rate to discharge into the network. We therefore request a condition requiring an on-site drainage strategy. Informatives recommended.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry. The Lead Local Flood Authority (LLFA) are a

statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off.

The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. It is an offence under section 118 of the Water Industry Act 1991 to discharge trade effluent to sewer without consent. Informative recommended.

In terms of Water Sewerage Network, a condition for on-site foul water drainage works should be submitted to the LPA.

- **ECC SuDS (revised):**

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- o Non-statutory technical standards for sustainable drainage systems
- o Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- o The CIRIA SuDS Manual (C753)
- o BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:

Condition 1

No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- o Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.

- o Limiting discharge rates to 36.6l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the

relevant third party/ All relevant permissions to discharge from the site into any outfall should be demonstrated.

- o Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- o Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- o Final modelling and calculations for all areas of the drainage system.
- o The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753. Indices tables should be provided.
- o Detailed engineering drawings of each component of the drainage scheme.
- o A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- o A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason:

- o To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- o To ensure the effective operation of SuDS features over the lifetime of the development.
- o To provide mitigation of any environmental harm which may be caused to the local water environment
- o Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 2

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason:

The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface

water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

Condition 3

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason:

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 4

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

We also have the following advisory comments:

o We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

Informatives recommended.

- **Environmental Health & Enforcement Manager:**

I would recommend restricting construction activities to the following hours: 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays with none on Sundays and Public Holidays.

I would also recommend the submission of a Construction Environmental Management Plan (CEMP) be submitted to the LPA for approval prior to works commencing.

The CEMP should as a minimum deal with the control of dust during construction, and noise mitigation measures having regard to BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites.

No bonfires should be permitted during construction.

Noise

The submission has been supported by a Noise Assessment carried out by Watermans Group dated 18th August 2022 Report Reference: WIE17721-100-R-2.1.7_Noise.

Background Noise measurements were taken at a representative location and identified the main noise source and the dominant noise source was noted to be vehicles movements, mainly HGVs, along Little Warley Hall Lane.

The impact of noise upon the site was assessed using BS 4142:2014+A1:20197 . However, specific details on the fixed external and building service plant have not been provided at this stage. The report suggests that plant noise limits can be met with noise mitigation measures (suggestions written in the report), however, no specific plan.

Due to this I would recommend the following condition, ensuring a full BS 4142 assessment is completed prior commencement. Once approved the scheme of mitigation shall be implemented in full prior to the use commencing and permanently maintained thereafter and replaced in whole or in part as often is required to ensure compliance with the noise levels.

Contaminated Land

The Phase 1 Report submitted in this application - Orchard Farm Preliminary Risk Assessment - concludes on pages 19 that the current overall risk rating for the site is medium. This was because of three potentially unacceptable risks: nearby residents inhaling potentially contaminated dust during construction, construction workers coming into direct contact with/ingesting/inhaling potentially contaminated soils, and potentially contaminating drinking water supply pipes.

I would therefore suggest that a Phase 2 Report is submitted to the planning authority prior to the commencement of works. Additionally, I would also suggest that a Remediation Strategy Plan is submitted to the planning authority prior to the commencement of works. However, it is also hoped that the submission of a CEMP as requested above will help to mitigate the first potentially unacceptable risk.

Air Quality

I have read and accept the methodology and findings of the air quality impact assessment dated November 2022. In accordance with this document and my colleague Zac Byrne's response in September, I want to reiterate the importance of ensuring adequate dust control measures within a CEMP. Mitigation should be appropriate for a medium risk site as per the recommendations within the AQIA (November 2022) and the Institute of Air Quality Management: Guidance on the Assessment of Dust from Demolition and Construction, 2014.

- **Bats - Mrs S Jiggins:** No response received at the time of writing this report.
- **Essex Wildlife Trust:** No response received at the time of writing this report.
- **Natural England:** No response received at the time of writing this report.
- **Secure by Design (Essex Police):**

Thank you for the opportunity to comment on planning application 22/01205/FUL. Security forms a key part of a sustainable and vibrant development and Essex Police considers that it is important that this development is designed incorporating the maximum achievable benefit of Crime Prevention Through Environmental Design (CPTED) for which Secured by Design (SBD) is the preferred enabler. SBD is the official police security initiative that works to improve the security of buildings and their immediate surroundings to provide safe places to live and work and is designed to address emerging criminal methods of attack. This reflects sections 92, 112 and 130 of the NPPF.

Whilst there are no apparent concerns with the layout of this site, Essex Police requests that the developer seeks to achieve the relevant Secured by Design accreditation for this development, which in this case will be Secured by Design Commercial Developments 2015 version 2. The SBD website- (<https://www.securedbydesign.com/guidance/design-guides>) provides full details.

Lighting Considerations:

Lighting plays a pivotal role in deterring criminal activity, but also promotes a feeling of safety within that space. When designing both public and private space, and when applied and designed correctly, lighting can reduce the potential for crime.

Essex Police recommend that lighting design meets the current relevant standard (i.e., the newest standard for street lighting BS5489-1 2020).

Access Roads and Service yards:

With HGV and cargo crime being prevalent across Essex, careful consideration is required regarding the design of the proposed access road and service yard for the proposed development.

According to NaVCIS (National vehicle crime intelligence service,) Essex remains the area with the highest number of cargo crime reports, and therefore, it is important that the design of this area promotes good design and staff welfare.

CCTV Operation and supporting policies:

Although CCTV is not cited within the documents submitted to the planning portal for this application, it is assumed that the proposed additional site will have additional CCTV cameras integrated with the main site CCTV; the most important aspect of utilising CCTV is the quality of the system and its imagery. This should be based on a series of comprehensive operational user and requirement tables. It requested that the CCTV will be monitored at all times, and therefore management plans and procedures, alongside data sharing protocols are required detailing the expectation of all parties. This will need to be embedded within contingency plans and overall policies and procedures. It should be acknowledged that despite the most careful appropriate design and incorporating the most sophisticated physical and electronic security measures the net result will be diminished without suitable policies and procedures.

Moreover, the policies must be translated into practice through relevant management, training, and evaluation. A policy folder on a shelf does not deliver the intended outcome; its implementation does.

- **Basildon Fire Station:**

No objections raised. Informative recommended.

- **National Highways (Previously Highways England):**

Referring to the consultation on a planning application dated 06/09/22 referenced above, in the vicinity of the M25 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

a) offer no objection (see reasons at Annex A);

Highways Act 1980 Section 175B is not relevant to this application.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Statement on Reasons

National Highways has undertaken a review of the Planning Statement, accompanying a full planning application submission.

National Highways interests relate to the operation and safety of the SRN, and in proximity to the proposed site, this includes the M25. We are interested as to

whether there would be any adverse safety implications or material increase in queues and delays on the SRN as a result of this development.

The proposed development comprises the expansion of the existing facility to the south to provide an additional 5,055sqm of floorspace, provided across three separate buildings.

The existing vehicle access from Little Warley Hall Lane will be retained with an additional access provided approximately 130m south of the existing access, providing access onto Little Warley Hall Lane through a priority junction measuring 7.5m in width.

The Development Proposals include for an additional 55 car parking spaces. These 55 spaces are to be made up of 9 disabled bays, 14 electric vehicle charging bays and 32 standard bays. 21 long stay spaces are to be provided and 11 short stay cycle parking spaces based on standards referenced in the Essex Design Guide. Refuse collection will take place on-site with sufficient space for a refuse vehicle to manoeuvre to allow both access/egress in forward gear. The design of the vehicle route through the Site ensures that refuse collection vehicle can stop next to the bin stores to reduce dragging distances.

The trip generation indicates that there will be a 16% increase in traffic on Little Warley Hall Lane. However, this equates to an additional 208 vehicle trips per day, likely spread across a 12 hour or more period. This results, as a worst case, in there being an additional vehicle approximately every 3 -4 minutes. This is not anticipated to have a significant impact on the highway network.

In view of the above, it is considered that the proposals satisfy the criteria of the revised NPPF, and as such there is no justifiable reason to object to the application on highways and transportation grounds.

Conclusion

We are satisfied that the proposal would not materially affect the safety, reliability and/or operation of the strategic road network (SRN) (the tests set out in DfT C2/13 para 10 and MHCLG NPPF para 111).

Recommendation

National Highways raises no objections based on the information set out above.

- **Parish Council:**

I can confirm that this application was discussed at the West Horndon Parish Council meeting held on Thursday 29th September 2022.

Parish Councillors acknowledge that the proposed works would lead to a substantial increase in food production at the site. This would bring a significant increase in

traffic movement in terms of animals being brought to the abattoir for slaughter, food produce being taken from the site for further processing/delivery to retailers and general vehicular traffic in respect of workers, packaging and other related supplies.

Little Warley Hall Lane South is accessed at its northern end by the A127 and at its southern end by St.Mary's Lane. It is a relatively narrow rural lane and at certain points only permits single file traffic. This situation is exacerbated by the hump back bridge over the C2C railway towards the southern end of the road and the large HGV vehicles bringing animals to the site. Many traffic problems have been experienced in Little Warley Hall Lane South. The junction with the A127 creates difficulties in that the slip roads are not of sufficient size to accommodate turning articulated vehicles. This has caused accidents on the main trunk road. Similar problems occur at the St.Mary's Lane junction where articulated and heavy goods vehicles experience significant problems negotiating the small rural lanes and the hump back bridge over the railway. Traffic is often brought to a standstill and the large vehicles cause numerous accidents.

Given the increased traffic movement, which would be created by the proposed works, it seems surprising that a comprehensive transport report has not been prepared. This should highlight the present traffic problems in this area and give information on what road improvements would be undertaken to assist in resolving the present difficulties, as well as addressing any further issues expected to arise if the proposed works are given approval to proceed.

With a lack of clarity regarding how future transportation issues are to be resolved the Parish Council is unable to support this application and believes it should be rejected.

Additional comments 20.10.22:

I have now heard back from the West Horndon Parish Councillors and there is no wish to change the comments previously provided in respect of Planning Application No. 22/01205/FUL.

The Transport Statement and Transport Plan prepared by Icenl are regarded as aspirational in terms of how the increased transportation and journeys along Warley Hall Lane South will be handled. Indeed, the chosen wording for the documentation appears resigned to the fact that whilst walking and cycling to the site would be helpful, they stand little chance of success and other measures such as car share are unlikely to have a large take up.

The report from National Highways was viewed by the Parish Councillors as being poor in content and showed little if any appreciation of the nature of Little Warley Hall Lane South itself or the type of road it is in terms of its width and terrain and the fact that along its length there is a single track hump back bridge over a railway.

Indeed, a number of Parish Councillors questioned whether a site visit had been undertaken.

The increased number of journeys along Warley Hall Lane South by articulated lorries, heavy goods vehicles and cars resulting from the proposed works at Cheale Meats Limited require that road improvements are made if serious accidents in this area are to be avoided.

- **Design Officer:** No comment.

6. Summary of Issues

The starting point for determining a planning application is the Development Plan, in this case the BLP. Planning legislation states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for determining this application include the NPPF and NPPG. Although individual policies in the Local Plan should not be read in isolation, the plan contains policies of particular relevance to this proposal which are listed in section 2 above.

Planning permission is sought for the construction of a meat processing building (Use Class B2 (General Industrial)), one HGV maintenance building (Use Class B2) and one food storage building (Use Class B8) with roof mounted solar PV panels, new access and staff parking, enhanced landscaping, sustainable drainage and a combined heat and power plant.

Site context

The application site is adjacent to and wraps partially around the existing abattoir operation at Orchard Farm expanding towards the railway line to the south and located along the eastern side of Little Warley Hall Lane. The application site is free from development with the wider site partially screened by foliage along common boundaries and currently used as a grazing field. The site falls within the metropolitan Green Belt which washes over the locality. The existing abattoir has previously been subject to extensions and alterations over the years and has extensive site history, though as this proposal relates to a separate land parcel, this has not been listed above.

Environmental Impact Assessment considerations

During the lifetime of the application, Officers have considered whether EIA screening of the application site is required but consider the development proposals to fall below the thresholds set out within Schedule 2 of the Town and Country

Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regs). As a result, Schedule 1 of the EIA Regs would not apply and the development would not likely result in significant effects on the environment, either alone or cumulatively with other development. This assessment is not based on the merits of the proposal, rather whether the EIA regime is triggered by this development, which as indicated above it is considered not to.

Green Belt considerations

Chapter 13 of the National Planning Policy Framework (NPPF) relates to the protection of Green Belt land. Paragraph 137 states that the Government attaches great importance to Green Belts and the protection of its essential characteristics – its openness and permanence. Green Belt is a spatial designation not a qualitative one, therefore the requirement to protect openness applies just as much to attractive countryside as to less attractive areas of Green Belt. Paragraph 147 states that where development is considered to be inappropriate, this is “by definition” harmful to the Green Belt and should not be approved except in very special circumstances (VSC). However, VSC would not exist unless the potential harm is clearly outweighed by other considerations. Policy MG02 of the BLP is relevant to this application which states “All development proposals within the Green Belt will be considered and assessed in accordance with the provisions of national planning policy”.

The NPPF stipulates that new buildings are inappropriate development in the Green Belt, unless one of a short list of quoted exceptions in paragraph(s) 149 or 150.

The applicant outlines within their Planning Statement that the proposals would amount to inappropriate development within the Green Belt and would therefore not meet the exceptions within the above paragraphs as the development entails “*construction of substantial new buildings*”. There is common ground between the LPA and applicant on this matter. The acceptability of this proposal is wholly reliant upon VSC and would need to meet the threshold which is set out within the NPPF, as below:

“147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

The last sentence is particularly worthy of note. Even were there to be matters in favour of the proposal, for them to be considered to be VSCs they would need to clearly outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal. This is a much higher threshold than an 'on balance' judgement. The following sections consider other material planning considerations before reviewing the merits of the considerations put forward by the applicant as part of the VSC claim.

Employment considerations

The proposed development envisages an increase in employment on site. The supporting statement differs on the existing number of employees on-site quoting figures of 93-107 (para 7.40) and 120 (para 4.7/application form). However, it estimates that a further 39-43 new positions would be created through this development. These roles would predominantly result from the new cutting and deboning hall which is a more labour-intensive process.

Paragraph 81 of the NPPF outlines the importance of policies and decision making in helping to create conditions for businesses to invest, expand and adapt. It states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Policy PC01 seeks to safeguard employment land and criterion 2 states development proposals (including the redevelopment of existing developed areas) on designated employment land within the Green Belt will be considered in line with national and local Green Belt policy. As the site (grazing land) would not redevelop existing developed areas and is not designated employment land, this policy does not support the proposal.

Policy PC02 supports proposals which seek to diversify the range of economic activities on a farm or within a rural area, but this is subject to compliance with Green Belt policy. The explanatory text also notes that economic growth can be achieved through an expansion of agricultural and other businesses and enterprise within a rural area. However, as the proposal is agreed to be inappropriate development within the Green Belt and amounting to a diminution of Green Belt openness, the policy would not support this form of development.

Consideration of wider opportunities for development have been identified with the recent adoption of the BLP which identifies suitable levels of employment land for an identified need allocating sites which in turn has released some areas from the Green Belt. This site has not be released and remains green belt.

Design, Character and Appearance considerations

Policy BE14 seeks to create successful places ensuring new development meets high design standards (including materials) and delivers safe, inclusive, attractive and accessible places. Buildings should be sustainable including the surrounding places and spaces capable of adapting to changing conditions. Proposals should respond positively and sympathetically to their context building upon existing strengths and characteristics and, where appropriate, retain or enhance existing features which make a positive contribution to the character, appearance or significance of the local area (including natural and heritage assets). The integration of the natural environment to enhance biodiversity should be incorporated into designs and proposals should seek to incorporate trees into development. Proposals should also protect the amenities of future occupiers and neighbours living conditions, provide suitable parking provision and refuse/recycling points whilst mitigating the impact of air, noise, and other pollution.

The explanatory text for policy BE14 identifies that the Essex Design Guide (EDG) is a useful starting point for a development.

The proposal seeks to construct three new buildings which spread across the site coupled with ancillary parking facilities, including HGV holding areas, and open landscaping between. These buildings are of a bland industrial appearance commensurate with their use which sees an expansion of the existing abattoir facilities. The supporting Design and Access Statement indicates that the separation of buildings and routes have been designed to avoid cross contamination.

Building 1 would be up to 8.2 metres in maximum height with eaves ranging between 4.4m and 6.4m. The floor area, within Class B2 use, would be 2,055sqm. The building would be used for deboning and packing containing facilities including freezers, packaging zones, preparation zones, air-controlled curing facilities, office, WC and warehousing.

Buildings 2 and 3 would have a maximum height of 7.8m and a level eaves of 6.5m. Building 2 would be used for storage purposes storing pallets, parts, packaging refrigerated vehicle supplies. The floor area, within Class B8 use, would be 1,800sqm. Building 3 is to be used for HGV maintenance i.e., vehicle and trailer checks. The floor area, within Class B2 use, would be 1,200sqm.

The total B2 use would be up to 3,255sqm across two buildings and a B8 use of up to 1,800sqm for the final and third building. Buildings are to be fitted with roof mounted solar PV panels.

The Gas CHP Unit is indicatively shown to have a height, excluding plant, of 2.9m, length of 12.19m and width of 2.44m to be located between the existing buildings to the north east corner and Building 1 proposed toward the south east corner. Details of plant could be sought through condition.

In terms of secure by design, the Designing Out Crime Officer advises there are no apparent concerns with the layout of the site. However, it is advised that the developer seeks to achieve the relevant Secured by Design accreditation for Commercial Developments. This can be brought to the developer's attention by informative. Details of lighting strategies could be sought through condition. It is also advised that there is suitable CCTV operation and secured facilities for cargo to limit crime.

Evidently there would be a loss of openness through the construction of substantial buildings and that would be harmful in respect of Green Belt considerations and the character of this part of the site together with its contribution to the character of the locality. However, these facilities would also be read within the context of the existing abattoir facilities which has an effect on the character of the immediate area. On that basis, while the quantum of built form would grow, the building typologies themselves would not appear incongruous within the locale and to that extent would comply with policy BE14 of the BLP.

Impact on Neighbour Amenity

No neighbour representations have been received as part of this application. The proposed development is within close proximity to existing abattoir facilities and there is considered to be sufficient distances between the boundaries of the (very isolated) residential properties to the proposed buildings one of which is within the ownership of the Cheale family. In this particular case, the nature of the proposed works are not considered to give rise to an overbearing form of development, nor lead to a material loss of privacy, overlooking or general disturbance effect in accordance with policy BE14 of the BLP.

Parking and Highway considerations

The Highway Authority (HA) and National Highways have both reviewed the merits of this proposal.

The proposal would include a new vehicular access along the eastern side of the highway (Little Warley Hall Lane); to the west of the red outline and south of the existing access which serves the remainder of the existing abattoir.

The proposal includes a total of parking 55 spaces are to be provided made up of 9 disabled bays, 14 EV charging bays and 32 standard bays. Within an amended block plan, the provision of cycle parking has been reduced to 16 (from 32) within drawing 002/E. Details of EV charging points can be sought through condition as well as increased cycle parking provision to ensure compliance with local policies.

The HA advise that the visibility splays relied upon would cross over land and curtilage of the dwellinghouse 'Shiloh' contrary to highway standards. However, the current owner of this dwellinghouse is Mr. Paul Cheale, a member of the Cheale family who operates the abattoir. The applicant's agent has confirmed that they have agreed a deed of covenant which is, at the time of writing this report, being drawn up to ensure that the requisite visibility splays will be maintained across 'Shiloh' in perpetuity. A copy of the deed of covenant in draft format has been supplied to both the LPA and HA.

The HA advise further that having reviewed the accompanying Transport Statement and most recent 5-year road traffic collision data, they consider the cumulative impact of an increased vehicular movements to/from the site would not be unacceptable in respect of highway safety and efficiency of the local highway network.

The HA advises that subject to conditions regarding the provision of a Construction Management Plan, securing of a legal agreement for the visibility splays (which are illustrated within Appendix A4 of the Transport Statement), an updated workplace travel plan for a period of 5 years or more, parking provision and cycle storage provision. A financial contribution is also recommended within condition 3 (see consultee response) of £6,383 (plus the relevant sustainable travel indexation) payable prior to occupation. Such a contribution would need to be sought through a s106 agreement; it is not possible to achieve this by planning condition.

Whilst the concerns of the Parish Council are acknowledged, statutory consultee advice is that the works proposed would be acceptable on highway grounds and it on that basis the proposal is considered to be compliant with policies BE08, BE09, BE11, BE12, BE13 and MG05 subject to conditions and s106 agreement. A 'Grampian style condition' (negatively worded condition) would be recommended to ensure access is provided before the commencement of development.

Natural Environment considerations

The Councils Arboriculturalist and Ecologist has reviewed the submission on several occasions. To accommodate visibility splays, discussed above, revisions to the boundary hedge adjacent to the highway have been sought from 2m high to 0.6m high. Two oak trees, adjacent to the access, will also need to be felled.

The trees in question have been inspected and it is agreed they have “significant defects as a result of historic damage”. There is decay within the trunks and branches. One tree has signs of long-term fungal growth. It is likely there would be a continued decline in the short-term.

The applicant has submitted a revised landscape strategy to incorporate mitigation for the reduction in height of the hedgerow and loss of trees. New trees would be planted within a woodland buffer of up to 15m wide beside the lane. This planting would provide future replacement trees for the remaining retained trees. It is made clear that the strategy would need to provide a significant wooded strip to mitigate the loss of the hedgerow and trees. It is also advised that shrub species are incorporated too and that there are further details of planting within the site and for the swales. Swales offer an opportunity to enhance biodiversity, providing a link to the hedges and wooded belt to ensure connectivity for species. This is subject to suitable design i.e., with graded slopes and sown with a wetland wildflower seed mix and appropriately managed. It is considered that all of these requirements could be suitably controlled through condition in the event of permission being granted.

In terms of ecology, the submission details biodiversity enhancement measures and in the event that permission was granted, their inclusion as approved documents, would require these measures to be implemented. It is recommended that a further survey in respect of badgers would need to be undertaken prior to commencement of the works as these are a highly mobile species and accurate data can change rapidly as a consequence. Notwithstanding, mitigation measures during the construction phase indicated within the latest survey report is considered to be satisfactory.

The proposed works are not considered to prejudice the implementation, aims and objectives of the Thames Chase Plan, which this site falls within the area of.

The proposal is considered to comply with policies NE01, NE02, NE03 and NE04 of the BLP subject to conditions.

Environmental Health considerations

An Air Quality Impact Assessment (AQIA) has been submitted during the lifetime of the application. This has been reviewed by the Councils Environmental Health (EH) team who consider its contents to be acceptable.

A Land Contamination report has also been submitted and reviewed by the EH team. Page 19 of the report outlines there is an overall medium risk rating as a consequence of three potentially unacceptable risks: i) nearby residents inhaling potentially contaminated dust during construction; ii) construction workers coming

into direct contact with contaminated soils; and iii) potentially contaminated drinking water supply pipes. On that basis, a Phase 2 report plus remediation strategy plan are recommended alongside a Construction Environmental Management Plan. The CEMP will also help to mitigate impacts upon Air Quality.

In terms of noise, the application is accompanied by a Noise Assessment dated 18 August 2022. Background noise measurements have been taken and the dominant noise source was noted to be vehicular movements. No specific details on the fixed external and building service plant has been provided. The report identifies that plant noise limits can be met with mitigation measures, with suggestions referenced within the report, but with no specific plan. Therefore, an acoustic assessment condition in respect of plant is recommended. Conditions restricting outdoor working would also be recommended.

EH advise further conditions restricting construction activities and bonfires. Where these cannot be dealt with by condition, an informative outlining requirements to comply with separate environmental health legislation is recommended. Issues of lighting and illumination could be dealt with through condition.

The proposal is considered to comply with policies BE14, NE08, NE10 and NE11 of the BLP subject to conditions.

Sustainability considerations

Policies BE01, BE02, BE03 and BE04 of the BLP are pertinent here. The application is supported by a Sustainability and Energy Statement which excludes specific reference to policy BE02, but does include recommendations for reducing water consumption.

Policy BE01 requires new developments to be of sustainable construction and seek to reduce carbon. Major developments are required to achieve at least a 10% reduction in carbon dioxide emissions above the requirements of Part L of the Building Regulations. New non-residential development is also required to achieve an 'Excellent' rating under the BREEAM New Construction (Non-Domestic Buildings) 2018 scheme, or equivalent standard. Proposals are also required to provide a minimum of 10% of the predicted energy needs of the development from renewable energy. Where on-site provision of renewable technologies is not appropriate, or cannot be achieved, 'allowable solutions contributions' via a s106 agreement should be sought alongside off-site provision. Where standards are not met, the applicant must demonstrate compelling reasons providing evidence as to why achieving such standards is not technically feasible or economically viable.

Policy BE02 requires new development to ensure water efficiency and management. Water conservation is necessary and new non-residential development is expected to meet BREEAM 'Excellent' rating in category Wat 01. Major developments are also expected to provide substantial water management measures such as rain and grey water harvesting. Measures to address waste water and sewage to improve the water environment (and quality) ensuring adequate capacity and misconnections are eliminated are also expected.

Policy BE03 requires new development to establish a low carbon and renewable energy infrastructure network. For this major development, the proposal is expected to demonstrate that the heating and cooling system has been selected in accordance with the heat hierarchy.

Policy BE04 seeks to manage heat risk through the design of new buildings including their orientation.

During the lifetime of the application, the LPA have sought external advice from an independent sustainability consultant, to review the credentials of the supporting Sustainability and Energy statement. Per the executive summary, the headline points are:

- The report provides a high-level view of the sustainable design and construction methods
- Sections of the report broadly address sustainability policy drivers and the energy strategy to minimize CO2 emissions
- The report finds the modelled building services performances, building fabric thermal efficiencies, and air permeabilities quoted, do not improve on and are only just within the limits of L2(A)2021 compliance for the modelled area. Therefore, the thermal fabric of the buildings should be significantly improved to reduce energy demand and consumption; architectural detailing for low air permeability should be considered
- Additional on-site electricity generation will be required to achieve carbon neutrality in both design and operation should that be required
- A technical nuance would be, if agreement could be reached with the local building control officer as to the confirmation of industrial nature of part(s) of the development (which could be excluded from Approved Document Part L2(A)2021 calculations), then the relative percentage reduction by CHP and PV would increase for the same plant and PV area
- Importantly, the proposal only considers the benefits of the new site. It does not consider the impact of the proposed development on the existing buildings and site infrastructure, or quantify how it may impact on them. For

example, the design access statement notes the massing of the new buildings to the east, south, and west of the existing PV array. The proposed buildings are likely to periodically overshadow this installation, at least partially, and some drop in yield will result, which could impact on existing site operation and costs. This is not mentioned in the report, and no assessment has been identified of the changes in existing PV array yield, or how the new development and installation would contribute to offset this

- From a site stewardship viewpoint, the energy and sustainability report would benefit from an addendum to demonstrate both how zero-carbon design, and zero carbon in operation might be achieved. This is a separate issue from simple part L2(A) compliance and that required by the LPA
- From a long-term perspective, a strategic statement would be very useful, showing a route to full site de-carbonisation in the future. This may include consideration of green hydrogen-fuelled CHP plant, with associated fuel storage and delivery areas, and / or additional PV arrays to ensure the full site achieves carbon neutrality by 2050
- The report did not state why low carbon heat generation, such as air or ground source heat pumps (ordinarily considered before CHP / cogeneration district heat networks due to their low-carbon nature) were not considered. This may be because the Food Standards Agency document on Abattoirs states a minimum domestic hot water temperature of +82°C is required for cleaning purposes. This is well above what a heat pump system could provide (i.e., constant peak water flow temperatures are not greater than +55°C).

The applicant's team advises that the findings of the consultant could be dealt with through condition. They consider that this would seek to confirm measures to achieve net zero-carbon emissions in operation, details of measures to minimise carbon emissions associated with the building design, an assessment of how the proposed development would impact upon the existing development and associated renewable energy infrastructure, consideration of a future pathway to full site decarbonisation and an assessment of the space and water heating systems to be incorporated into the development.

Whilst the proposal may demonstrate simple compliance with Part L of the Building Regs and would ultimately be considered under separate legislation, compliance is a pre-requisite for any development and this is neutral in the planning balance.

Officers are of the view that the proposed scheme makes aspirational claims, does not commit to the basic principles of the policy requirements in achieving BREEAM 'Excellent' ratings and overall is lacklustre. The references to measures within the suggested condition do not commit to anything substantial and lack specific detail whilst envisaging changes to parts of the abattoir which fall outside of the red

outline of the development site and therefore cannot be controlled by condition; no blue line is included within the accompanying site plan. Therefore, there is no scope within this application to improve upon the existing sustainability credentials of the existing development; instead, the proposal has been found to have a negative impact on the existing situation and therefore the positive impacts of the proposed development are considered to be limited.

This proposal is not considered to represent an exemplar scheme in respect of sustainability. The applicant would need to achieve a level of sustainability substantially above the level sought within this application in order for meaningful weight to be given to the sustainability credentials which forms part of their very special circumstances claim. This could, for example, have been sought through cladding of existing facilities and expanding upon solar provision. However, this is not a matter which could be dealt with through this application.

The proposal has failed to demonstrate that the proposed development would fully comply with the requirements of policies BE01 and BE02 of the BLP. As there has been no commitment to achieving BREEAM standards within the submitted documents, which officers consider would need to be demonstrated from the early stages of the design process, it is not considered possible for this to be conditioned. A further reason for refusal is recommended as a consequence.

Flood Risk considerations

The application site is located within Flood Zone 1. A flood risk assessment and SuDS strategy accompanies this application. Essex County Council are the Lead Local Flood Authority (LLFA) and have reviewed this submission on two occasions. In their most recent advice, dated 10 October 2022, they raise no adverse comments to the proposed development subject to conditions to cover a detailed SuDS scheme to be submitted, measures to minimise offsite flood risks, maintenance plans and yearly logs of maintenance.

Anglian Water have provided consultee response on this scheme and advise of assets close to or crossing the site citing the Water Industry Act 1991 and that the developer may be liable for costs associated with reconfiguring or diverting apparatus. However, this is beyond the scope of planning considerations and would be a civil issue between the two parties. They consider that development will lead to an unacceptable risk of flooding downstream but advise that a condition requiring on-site drainage strategy prior to commencement of development would mitigate this risk. Informatives are also recommended were the application to be acceptable in all other respects.

On that basis, it is considered risks could be mitigated through condition and the proposal would comply with the requirements of policies BE05, BE14 and NE09 of the BLP in respect of flood risk and incorporation of sustainable drainage features.

Health Impact Assessment considerations

The proposal is accompanied by a HIA. This has been reviewed by the HIA steering group. The report sets out Health Determinants and how the proposal performs against each category. Within the response, recommendations are made alongside shortfalls with the application such as but not limited to: little consideration of social cohesion and inclusive design principles, measures to improve cyclist and pedestrian safety, additional measures to improve security, the impacts upon noise pollution and air quality. It is considered that such matters could be reasonably conditioned or brought to the applicant's attention by way of informative. In principle, the proposal is considered to comply with the requirements of policy MG04 of the BLP.

Other Matters

Consultation with Essex County Fire & Rescue Service has been undertaken. They advise that the proposal would not affect Fire Service access to the premises and subject to building control approval, and therefore considered under separate legislation, they would raise no objections to this scheme. An informative of their recommendations (i.e., sprinkler systems) could be brought to the developer's attention.

Very Special Circumstances

It is common ground between the LPA and applicant that the proposal would amount to inappropriate development within the Green Belt. The applicant has put forward a case to outline what they consider to be material considerations and planning benefits which they conclude would amount to VSC and these are bullet pointed below, as summarised by Officers.

Weight is required to be given to these different considerations put forward as VSC. The degree of weight is to be accorded to each is a matter for the decision taker. This can be divided into two steps: the first is to determine whether these individual factors would outweigh the harm and the second is to determine whether these factors in combination outweigh the harm. The weight to be given to any particular factor is a matter of degree and planning judgement. The case should be decided on the planning balance qualitatively rather than quantitatively.

1. Performance of Site against Green Belt Objectives

2. Need for Employment land and suitability of the site for the proposed use
3. Protection of existing rural employment and provision of new jobs
4. Sustainability credentials (decarbonisation and expansion of low carbon energy generation)
5. Rising energy costs threatening the viability of the business
6. Compliance with the regulatory framework for food hygiene safety
7. Ecological and landscape benefits
8. Provision of sustainable drainage features and sustainable transport modes

Performance of Site against Green Belt Objectives:

The Brentwood Borough Council London Metropolitan Green Belt review concluded that the study parcel which contains this site made a “moderate contribution” to the Green Belt purpose. The applicant contends that the application site is a small part of the overall study area and has provided a Landscape and Visual Impact Assessment and Green Belt Assessment to assess the site against the purposes of the Green Belt. The applicant indicates that the site fulfils few of the purposes of the Green Belt i.e.:

- *To check unrestricted sprawl of large built-up areas*
- *To prevent neighbouring towns merging into one another*
- *To assist in safeguarding the countryside from encroachment*
- *To preserve the setting and special character of historic towns*
- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land*

The assessment of the site’s contribution to the purposes of the Green Belt is particularly narrow and largely relates to an assessment of the proposal in isolation. Green Belt policies should be applied consistently. Furthermore, in this case the proposal would result in encroachment in the countryside and would not assist in the recycling of urban land. This consideration is afforded “low” weight.

Need for Employment land and suitability of the site for the proposed use:

The applicant considers that the need for employment land and the suitability of the existing site for the proposed use to attract “very significant weight”. Whilst they

concede alternative sites are available, they are not considered suitable as food produce would need to be transported increasing the carbon impact of the business as well as additional food miles. They also consider the location of an abattoir close to residential areas unsuitable for amenity reasons.

Details of alternative sites have not been provided within this application and therefore it is not possible to judge the suitability of other sites, or how this may impact upon residential amenity. However, it seems apparent that the use of electric vehicles could help to mitigate carbon impacts for commercial purposes. Failure to provide a robust assessment of alternative sites significantly reduces the weight attributed to this consideration.

The BLP identifies site allocations for Employment of which this site is excluded. A requirement of between 38.41 and 50.61 hectares is identified within Figure 7.4 of the BLP (pg.133) of which ~46.64 hectares have been allocated in addition to existing commitments. This has involved the release of sites from the Green Belt. As the adoption of the BLP provides for the necessary requirements threshold, there is not an identifiable need for further Employment land at present.

Therefore, the LPA are of the view this consideration would only attract “limited” weight.

Protection of existing rural employment and provision of new jobs:

The NPPF sets out within para 81 that significant weight should be placed on the needs to support economic growth and productivity. Indeed, sustainable development has an economic objective, a social objective and an environmental objective (para 8).

The applicant contends that the premise of policy PC02 of the BLP supports the proposed development. The supporting statement provides an analysis of employment within Brentwood between urban and rural areas. They identify the business as one of the very few “median-sized” rural business in Brentwood employing between 93-107 (or 120) people on-site (dependent on day-to-day operations) and a key employer in one of the area’s largest sectors (retail and wholesale). The scheme would enable the creation of an additional 39-43 roles on-site, but this is not a ceiling number. They also consider the expansion to enable significant increases in UK wholesale production which would contribute towards food security. Together with the economic benefit the expansion of the business would provide, the applicant contests that this should attract “very significant weight”.

It is difficult to measure the importance of food security in the context of planning decisions, it is a hugely complex factor. However, a Government publication in December 2021 entitled the “UK Food Security report” provided a comprehensive overview of the country’s food security. The Executive Summary¹ outlined that “we have a high degree of food security in the UK. Domestically we produce 60% by value of all the food we need, rising to 74% of food which we can grow or rear in the UK.” It goes on to state that “strong domestic production, balanced with international trade, contributes to a diverse and resilient UK food supply”. Importantly, this strategy also recognises the impacts of the Ukraine crisis, energy crisis and climate change. This particular strand of argument is therefore considered to attract “limited” weight given the “high degree” of food security existing.

An increased number of employees on site would without doubt contribute towards the economic objective of sustainable development and para 81 of the NPPF outlines that this should be given “significant” weight.

Sustainability credentials (decarbonisation and expansion of low carbon energy generation):

The applicant considers that decarbonisation and expansion of low carbon energy generation supply on site in the context of rising energy costs and existing supply not meeting needs, on site heat and power system alongside additional PV panels to enable zero-carbon electricity generation would result in a scheme which, in the context of recent approvals (although none are listed), is exemplar. They contest this should attract “significant” weight.

However, the LPA consider that the sustainability credentials of the site have been overstated and are aspirational. Material harm has been identified as discussed within the report above in terms of policy compliance and impacting upon the existing development (solar array) in a negative capacity by virtue of the new buildings positions and heights. Whilst compliance with building regulations may be met, this is a pre-requisite for any development. On that basis, the proposal is not considered to be exemplar and this consideration is “neutral” in the planning balance.

Rising energy costs threatening the viability of the business:

Within the supporting statement, and as shown by figures produced by the applicant during the lifetime of the application, the business has faced increased energy costs which, it is claimed, is affecting the viability of the business. It is presumed that the

¹ Source:
<https://www.gov.uk/government/publications/government-food-strategy/government-food-strategy>

applicant would also rely upon this as a consideration, but there is no specific reference to the weight to be attributed.

In this case, the LPA consider that whilst viability of the business could be a material consideration, rising energy costs are an issue on a nation and global scale and not site specific. In effect, this is an issue facing residential households and businesses alike and therefore is only considered to attract “limited” weight.

Compliance with the regulatory framework for food hygiene safety:

The applicant sets out that the proposal has been carefully designed to maintain the highest food and hygiene standards. The applicant already holds a full range of approvals in respect of varying standards. Existing regulations specify the requirements for abattoirs to ensure separation in space or time of differing parts of the industrial process/operation.

The site has developed piecemeal over the years and a need to continue to comply with the regulatory framework is argued to be afforded “some” weight. If these requirements are not met, there is a risk of closure.

However, no recent application has explored a redevelopment of existing facilities to ensure continued compliance. It does not necessitate the expansion of facilities across an undeveloped land parcel. Ultimately, compliance with these regulations is a pre-requisite and covered by separate legislation. It has not been demonstrated that this cannot be achieved within the existing facilities or necessitates expansion. The effect of this is considered to be “neutral” in the planning balance.

Ecological and landscape benefits:

As the application would enable improvements to the landscape through expanded tree and hedge cover, there would also be an ecological benefit and it is contested this would attract “moderate” weight.

However, all development proposals are required to incorporate appropriate landscaping into developments and be sensitive to ecological impacts by promoting biodiversity. The effect of this is considered to be “neutral” in the planning balance.

Provision of sustainable drainage features and sustainable transport modes:

The proposal would seek to incorporate sustainable drainage features and sustainable transport modes for staff and improved facilities which the applicant contests should be afforded “some” weight.

Similarly to the above, this is a pre-requisite of all development proposals of this nature and scale. The effect of this is considered to be “neutral” in the planning balance.

Summary:

The table (1) below illustrates within the first two columns the material harm and the weight afforded to each. The third column identifies the material considerations advanced by the applicant as summarised by officers. The fourth column identifies the weight officers attach to each material consideration:

Table 1: Material Harm and VSC/Planning Benefits

Material harm	Weight afforded	Material consideration/ Planning Benefit	Weight afforded
Inappropriate development within the Green Belt	Substantial	Performance of Site against Green Belt Objectives	Low
Non-compliance with policies BE01 and BE02	Substantial	Need for Employment land and suitability of the site for the proposed use	Limited
		Protection of existing rural employment and provision of new jobs	Significant
		Sustainability credentials (decarbonisation and expansion of low carbon energy generation)	Neutral
		Rising energy costs threatening the viability of the business	Limited
		Compliance with the regulatory framework for food hygiene safety	Neutral
		Ecological and landscape	Neutral

	benefits	
	Provision of sustainable drainage features and sustainable transport modes	Neutral

In summary, the applicant argues that the “...*cumulative benefits of the scheme are considered to clearly outweigh any harm to the Green Belt*”. This view is not shared by officers. There is identifiable harm in respect of the Green Belt and non-compliance with sustainability policies; primarily through failure to demonstrate BREEAM ‘Excellent’ ratings.

Whilst there is an identifiable benefit from increased employment, the BLP and its recent adoption clearly identifies a suitable level of employment land within the borough for the subsequent years. This will provide numerous economic benefits to the local and wider economy. The applicant would therefore be well advised to consider the call for sites as part of the ongoing local plan review if further needs are identified to be required.

The NPPF outlines that VSC need to *clearly outweigh* inappropriate development within the Green Belt and all other harm identified. In this case, no material consideration or benefit would achieve this (very) high threshold either in isolation or cumulatively outweighing all harm identified.

Conclusion

The proposed development, for the reasoning outlined above, is considered to be contrary to policies BE01, BE02 and MG02 of the BLP and the aims and objectives of the NPPF and NDG. The material considerations advanced in support of the application are both in isolation and cumulatively not considered to amount to VSC which would *clearly outweigh* the harm to the Green Belt and all other harm identified. Therefore, the proposed development is recommended for refusal.

7. Recommendation

The Application be REFUSED for the following reasons:-

R1 The proposed development by virtue of its overall size and spread of built form across grazing land would conflict with the purposes of the Green Belt through the resultant encroachment into the countryside and urban sprawl. The proposed development represents inappropriate development in the Green Belt contrary to the aims of Chapter 13 of the NPPF and policy MG02 of the Brentwood Local Plan.

No very special circumstances accompany the scheme which would clearly outweigh the harm identified by reason of its inappropriateness and all other harm identified.

R2 The proposal does not commit to achieve the Non-Domestic Buildings BREEAM 'Excellent' (or other suitable equivalent) rating for the new facilities in terms of the buildings fabric and water efficiency (Wat 01) ratings and has not demonstrated compelling reasons, supported by evidence, as to why the sustainability standards are not technically feasible or economically viable contrary to the requirements of policies BE01 and BE02 of the Brentwood Local Plan.

Informative(s)

1 The following Development Plan policies contained in the Brentwood Local Plan 2016-2033 are relevant to this decision: BE01, BE02, BE03, BE04, BE05, BE07, BE09, BE11, BE12, BE13, BE14, PC01, PC02, NE01, NE03, NE04, NE08, NE09, NE10, NE11, MG01, MG02, MG03, MG04, MG05; as is the National Planning Policy Framework (NPPF), National Design Guide (NDG) and National Planning Practice Guidance (NPPG).

2 INF20

The drawing numbers listed above are relevant to this decision

3 INF23

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and clearly identifying within the grounds of refusal either the defective principle of development or the significant and demonstrable harm it would cause. The issues identified are so fundamental to the proposal that based on the information submitted with the application, the Local Planning Authority do not consider a negotiable position is possible at this time.

BACKGROUND DOCUMENTS

DECIDED: