

**AGENDA ITEM NO: 10/2(a)**

<b>Parish:</b>	<b>Clenchwarton</b>	
<b>Proposal:</b>	<b>Part retrospective agricultural store</b>	
<b>Location:</b>	<b>Land W of Kenwick Hall And S of Track Station Road Clenchwarton King's Lynn</b>	
<b>Applicant:</b>	<b>Mr Mark Means</b>	
<b>Case No:</b>	<b>22/02214/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Bradley Downes</b>	<b>Date for Determination:</b> <b>14 March 2023</b> <b>Extension of Time Expiry Date:</b> <b>9 June 2023</b>

**Reason for Referral to Planning Committee** – At the request of the Assistant Director

**Neighbourhood Plan:** No

**Case Summary**

The proposed development is an agricultural store on a large farm holding. An access point has previously been constructed to the site, under a separate planning permission. The application is part retrospective as foundations have already been constructed, a bund created around the site and hardcore laid down. The site lies in the countryside, on the west side of Station Road, approximately 320m to the north of the junction with the A17.

**Key Issues**

Planning history  
Principle of development  
Form and character  
Impact on neighbour amenity  
Highway safety  
Flood risk  
Any other matters requiring consideration prior to determination of the application

**Recommendation**

**APPROVE**

**THE APPLICATION**

The application is for the erection of an agricultural store. The building will be primarily used for the storage of produce including grain and occasionally sugar beet. The application is part retrospective as foundations have already been constructed, a bund created around the site and hardcore laid down. The application arose as a result of an enforcement

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investigation into construction work being carried out for the foundations that were not in accordance with a previous permission granted under permitted development rights, and it was considered planning permission was therefore required. While an access has also been created over the dyke to the front of the land, this was granted planning permission separately under 21/01725/F.

The site lies in the countryside, on the west side of Station Road, approximately 320m to the north of the junction with the A17. Land immediately to the south currently benefits from prior approval for the erection of a store under Part 6, Class A of Sch 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

## **SUPPORTING CASE**

This document has been produced to assist the seeking of a Full Planning Approval for an Agricultural Building (Planning Reference 22/02214/F).

The proposed location of the Agricultural Building has been located just off the A17 on my clients Agricultural land to reduce the amount of Heavy Goods Vehicles (HGVs) from travelling through the villages Terrington St Clement and Clenchwarton. The current produce from JS Means is stored at a facility in Wimblington, March which is located approximately 25 miles away. JS Means current clients are located in Stoke Ferry, King's Lynn, Bawsey & Holbeach. Therefore the produce travels from JS Means Farm in Terrington St Clement to Wimblington Stores, and then to various sites.

This would mean that the HGVs would need to travel between 56 - 64 miles (which does not include return trips) to deliver the product locally. With the new location of the Agricultural Building this would reduce this mileage down to between 8 - 18 miles.

The proposed Agricultural Building would also reduce the amount of HGV vehicles going through the village of Terrington St Clement & Clenchwarton by at least 50%. This was the main concern from the neighbouring dwellings that there would be more HGV vehicles travelling down Station Road. The maps and documents which have been submitted with the planning application clearly show that the proposed building will reduce this issue.

Planning has already been approved under a Prior Approval application for a slightly smaller Agricultural Building located further south-west on the same field. My client also has approval to install a new access closer to the A17 junction to allow for safer access due to the current access not having adequate visibility splays.

Overall, my client is attempting to reduce his environmental impact.

## **PLANNING HISTORY**

22/00858/AG: Application Withdrawn: 17/06/22 - Construction of new agricultural building - Land W of Kenwick Hall And S of Track, Station Road, Clenchwarton

21/01732/AG: Consent Not Required: Delegated Decision: 13/12/21 - Agricultural Prior Notification: Steel framed and clad building in modern style of farm buildings - Land Off, Station Road, Clenchwarton

21/01725/F: Application Permitted: Delegated Decision: 08/12/21 - Construction of new agricultural field access - Land Off, Station Road, Clenchwarton

## **RESPONSE TO CONSULTATION**

**Parish Council: NO COMMENTS**

**Highways Authority: NO OBJECTION**

We have reviewed the submissions identifying the existing haul routes and storage arrangements plus map showing extent of land within the agricultural unit. Which in summary appears to indicate that the applicant currently hauls crop to their farm (Rhoon Road) where it is then collected by a third party to haul to the 3rd party store in Wimblington. The crop is then said to be distributed from that 3rd party store to customers at locations closer to this application site. We note that a significant percentage of their land farmed is to the south of the A17 at present for which the applicant would naturally use this store to retain crop if approved. We presume that the farmed area to the north of the store could continue in a manner similar to how it does now but would more likely utilise the store proposed given their aim of the development.

It is acknowledged that Station Road is said to form part of the existing haul route to gain access to and from the farm and that is of consideration. However, the applicant could in theory also utilise other routes whereas this store may put more focus on Station Road. In relation to the junction at Station Road with the A17 we note that the junction is said to be utilised currently by the applicant, it offers a right-hand turn facility and there are no reported accidents within the last 3 years. We therefore believe that it would be difficult to substantiate an objection to this proposal in relation to movements at that junction.

With respect to Station Road the carriageway width has been measured at 5.0m between the site and the A17 where the majority of the movements will be concentrated. This width is sufficient to allow an HGV and a car to pass. Two HGVs however should require a width of 5.5m to achieve passing without mounting the verge and on bends may require a small additional strip to accommodate the vehicle swept paths. Having assessed the private point of access that would be utilised by the development I am satisfied that it conforms with the adopted recommended guidance as set out in the Department for Transport Design Manual for Roads and Bridges, and also, Manual for Streets II.

Our experience of stores of this nature is that they tend to be filled during off-peak periods with activity being concentrated over short periods when filled and emptied in association with a crop. However, driving to the site from the A17 on Station Road there is a shallow bend in the road's alignment before the site entrance, over which the ability to see vehicles approaching across the inside of the bend can be affected.

However, what is of material consideration is the level of HGV traffic on Station Road. I observe that the applicant's agent has again reiterated that traffic volumes would not increase. As significant increase in traffic above that which currently exists on Station Road cannot be substantiated given the applicants reassurances and information provided, we would not ultimately recommend an objection to the application on highway safety grounds.

Conditions in relation to the point of access would be the same as those for planning reference 21/01725/F, for which works have started and would therefore be subject to the conditions thereby applied. I also observe that the gate is detailed at a specific position on the plan and would therefore be covered by default of the anticipated plan condition. In relation to the hard standing and servicing area we recommend a condition to ensure the hardstanding is laid prior to use and maintained to ensure permanent availability of parking and turning areas.

## **CSNN: NO OBJECTION**

The application does not include any fixed equipment or machinery but for the avoidance of doubt I am recommending a condition to restrict installation of external plant, such as drying equipment. I am under the impression there would be hardly any grain HGVs going to or from the store using the main part of Station Road and that most HGVs would use the A17. In terms of HGV movements a figure of an average 2-3 HGVs per week is mentioned for a total of approximately 120 per year. Due to the nature of agricultural processes including working irregular hours, it is not reasonable to grant consent with restricted hours of use.

However, it must be acknowledged that there is a need to manage the site responsibly and there are measures that can be taken to ensure that the majority of deliveries, collections and general activities at the site take place during reasonable daytime hours on weekdays. While I have requested a condition to restrict installation of any permanent external plant, this does not cover mobile equipment. Therefore, if mobile equipment is to be used this would also need careful management to ensure the impact on nearby residents is minimised. For these reasons I am also requesting a condition for a noise management plan.

## **Environment Agency: NO OBJECTION**

Strongly recommend that the mitigation measures proposed in the submitted FRA are adhered to.

## **Internal Drainage Board: NO OBJECTION**

Land drainage consent is required.

## **Environmental Quality: NO OBJECTION**

No potential sources of contamination are identified in our records, or in the information provided by the applicant.

## **REPRESENTATIONS**

A total of **29** third party letters have been received. 22 in the first round of consultation including a letter from Cllr Kemp, and 6 in the second round of consultation. Following questions raised in the first round of consultation, matters were clarified such as vehicle numbers, building dimensions and haul routes. To allow the public to view this new information a second consultation was carried out. All of the letters set out **OBJECTIONS** to the application. Salient points raised are presented below.

### *First consultation:*

What is intended to be stored in the building?

Lynn news 10th Nov states vending machine to sell local produce – what local produce will be sold? Will the produce come off the surrounding land or be brought in by farm vehicles? Development will result in increased traffic during construction and when the building is in use.

Increased HGVs would impact neighbours with noise and fumes and cause vibrations.

Building is twice the size of the original application.

First time the barn was rejected because process had not been followed. (referring to AG).

HGVs should not allowed to drive the length of Station Road and should only use the A17 end.

Station road should have a weight limit imposed to stop it being used by HGVs.

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Noise that will be created by having a very large agricultural building will be intolerable, especially during summer evenings.

Increased traffic would make it more dangerous for pedestrians as there is no street lighting and people park on the pavement.

The previous application was dealt with inappropriately.

Station Road has potholes and is not suitable for more HGVs or tractors.

Straightness of the road encourages speeding so site access would be unsafe.

Drivers will go through village when A17 is heavy traffic.

HGVs would need to encroach onto wrong side of road when entering and exiting site.

Working hours for construction period should be conditioned.

There was previously discussions about the grain dryer and entrances. It is not stated in this application.

With storage of vehicles there will be a fire risk.

The access point is a sharp blind bend and this might become an accident blackspot.

Grain dryer would create a lot of noise and dust throughout the summer.

### *Second Consultation:*

What are we supposed to read from the routes documents? In one document a route is suggested and highlighted in various colours but there is no key.

Heavy laden vehicles accessing the A17 would be extremely dangerous.

HGVs coming from Ongar Hill will use station road as a short cut to the A17.

Don't have faith in support letters written by paid contractors.

The store will be used on a far larger scale than first thought.

Station Road is not wide enough for the volume and frequency of traffic.

If permission is granted, residents need assurance that this will never be a grain dryer and operating hours should be implemented as HGV's make a lot of noise.

Lyndhurst did not receive a consultation letter.

The size of the building is not as stated in the application form.

Properties south of the site will get hundreds of lorry trips.

Under previous planning application the applicant obtained signatures from local residents to support a grain dryer under false pretences.

Application form states development hasn't started which is untruthful.

### *Letter from Cllr Kemp dated 4th February:*

The application and rationale for it are far from clear. Why was the original permission not built?

Residents of Station Road told me they were canvassed by the applicant in 2021 to approve the facility, without being told it was to be a grain dryer.

The grain dryer was opposed by residents on grounds of noise, dust, safety and risk to the highway.

The applicant also applied for the access on a separate planning application in 2021, without specifying what it was for.

The applicant has said that lorry movements travelling along Station Road will reduce as all lorries would use the A17 for access. How can this be enforced, if at all?

Its possible that in time the building could generate more vehicle movements than the conservative estimate of 2-3 lorries a week.

Lorries travelling along Station Road have caused problems for residents, movement and cracking of their homes. Lorries are particularly egregious in the summer. Residents are fed up with noise and vibrations.

The narrow section of road from the A17 to the bend in Station Road is notoriously narrow with insufficient turning space for cars, let alone HGVs.

Vehicles often encroach on verges and risk entering ditches.

Vehicles exiting the A17 have a propensity to speed and vehicles meeting large lorries turning in and out of the site could be dangerous.

Applicant should consider an entry off the A17 for the lorries and relocate the proposed agricultural store to a safer place.

I oppose this application on grounds of uncertainty and risk to highway safety.

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

## **PLANNING CONSIDERATIONS**

### **The main considerations are:**

Planning history

Principle of development

Form and character

Impact on neighbour amenity

Highway safety

Flood risk

Any other matters requiring consideration prior to determination of the application

### **Planning history:**

The current part retrospective application for an agricultural store is the latest in a recent string of directly relevant applications. Firstly, a full planning application for the creation of a new access onto Station Road was proposed (21/01725/F). Shortly after, an agricultural prior notification for a grain store was submitted (21/01732/AG). The proposed access was considered on the basis that it would be used as a field access for low levels of traffic. It was approved subject to condition that the access be constructed in accordance with a detailed scheme to be agreed in writing with the LPA. No such scheme ever came forward, however the Local Highway Authority have indicated in their response that the access has been constructed in accordance with adopted standards.

Concern has been raised that the access was approved on the basis of being a field access and that this was underhanded behaviour prior to submitting subsequent applications for buildings on the land. At this time it was not necessary for the applicant to disclose that they intended to build on the land, and both applications were submitted around the same time. The current application for a grain store requires the LPA to consider the increased use of the approved access, and its suitability to cater for the proposed development.

At a similar time to the full application for the access, an agricultural prior notification application was submitted for a grain store on land which was served by the proposed access. This application was made in accordance with the requirements of Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015. Under Part 6, Class A of the GPDO, genuine agricultural enterprises can benefit from permitted development rights to erect buildings on land which are reasonably necessary for the purposes of agriculture.

Part 6, Class A requires the developer to notify the LPA of their intention to develop the land in accordance with the permitted development rights and gives the LPA opportunity to consider whether their prior approval is required as to the siting and design of the building. Concern is raised by third parties about how the agricultural prior notification was dealt with. It is also noted that there was concern at the time of the agricultural prior notification that grain dryers could be used in the building. In such an application, which is essentially permitted development, the LPA has no power to consult with statutory or third party consultees, and cannot consider matters relating to highway safety or residential amenity unless they arise directly as a result of the siting of the building. The siting of the building alone was not considered to give rise any significant impact on residential amenity. While it is acknowledged grain drying equipment could have some impact in terms of noise, no such equipment was proposed to be installed on the building as part of the agricultural prior notification, and the potential for the temporary use of mobile drying equipment is beyond the remit of planning control.

Ultimately it was determined that prior approval was required as to the siting and design of the building, because of the open and undeveloped nature of the existing landscape. This prior approval was subsequently granted under the same application (as it still forms part of the permitted development procedure). It is considered the agricultural prior notification was dealt with appropriately.

Lastly, it was reported that construction work had begun on the site contrary to the approved plan under the prior approval. An enforcement investigation confirmed this to be the case. A second agricultural prior notification application was submitted to regularise the new footprint of the building, but such an application cannot be considered if development has already begun. As the foundations had been commenced, it was not possible to proceed with the second agricultural prior notification and it was promptly withdrawn. Shortly following withdrawal of 22/00858/AG, this full planning application was submitted to regularise the new footprint and grant permission for the construction of a grain store.

#### **Principle of development:**

The proposed grain store would be used in association with an established agricultural enterprise for the storage of grown produce and therefore would accord with the requirements of Policy CS06 of the Core Strategy 2011 and DM2 of the SADMPP 2016. While the site lies in the countryside, due to the agricultural use it is considered the principle of development is acceptable.

The prior approval under 21/01732/AG still remains extant and effectively serves as a fallback position. This permission was granted on 13th Dec 2026 and subject to condition that development is complete within 5 years. Therefore, it may be possible for the prior approval to be delivered concurrently with the proposed grain store, however the proposed development also includes landscaping including a bund which would intersect the prior approval. This would effectively restrict the prior approval from being deliverable. As such, it would not be necessary to restrict the implementation of the extant agricultural prior approval, and it would not be reasonable to restrict Part 6, Class A permitted development rights for new buildings on the entire agricultural unit.

### **Form and Character:**

The proposed building will have approximately 882sqm of internal floorspace or 963sqm of footprint when measured from the site plan including the roof overhang. The building approved under the AG had a floorspace of approximately 600sqm. The proposed building is annotated on the submitted plan as being 11.067m high to the ridge with eaves of 7.702m. While this is relatively large, the approved barn under the AG had a height of approximately 9.2m and eaves of 6.4m and therefore the current proposal is not significantly larger than what could already be constructed within the applicant's rights. Furthermore, proposed materials include natural grey colour corrugated sheeting to the walls and roof which is considered appropriate for the location of the building and its intended use.

Proposed landscaping includes a fence and bund around the site, and hedgerow to the front. Full details haven't been provided yet, but these can be secured by condition. Overall, it is considered the proposed building will be in keeping with the appearance of similar agricultural buildings in the countryside, and would not have any significant adverse impact on the character and appearance of the countryside.

### **Impact on Neighbour Amenity:**

The proposed store would be approximately 135m away from the nearest neighbouring property to the north-east, known as Kenwick Hall and approximately 190m away from the nearest neighbouring property to the south-east, known as Lyndhurst. The proposed access point is situated approximately 140m from Kenwick Hall and 160m from Lyndhurst. It is considered the building would be sufficiently far from neighbouring occupiers to avoid any significant overbearing or overshadowing impacts. It is considered the use of the building for storage of produce would not itself generate any significant noise or other disturbance impact such as dust.

One of the main areas of concern with third parties was the potential for noisy grain drying equipment. The applicant has confirmed that the proposed building does not include any permanent grain drying equipment to be installed. The use of any temporary and mobile grain drying equipment cannot be reasonably controlled by planning because it is not development. However, the condition recommended by CSNN for a noise management plan is considered appropriate. A noise management plan will require the applicant to consider the impacts that could arise from use of the building and set out measures to minimise those impacts. Furthermore, matters relating to noise and disturbance can be dealt with by Environmental Health (CSNN) under separate legislation, and therefore any adverse noise could lead to a statutory nuisance investigation.

Part 6, Class A of the GPDO also permits alterations to existing buildings which can include installation of grain drying equipment. To ensure that any grain drying equipment which the applicant may wish to install in the future won't have any significant adverse impact on residents in the surrounding area, it is recommended that any approval of this application is



subject to condition that prior to the installation of any external ventilation or drying equipment, details must be submitted to and agreed in writing with the LPA.

The other main area of concern raised by third parties was in relation to HGV movements to and from the site. Currently, harvested produce is taken by tractor and trailer to a store at Ongar Hill Road, before it is taken by HGVs to the permanent store at Wimblington. From there it is collected by various clients by HGVs. Some of the tractor-trailer traffic currently travels up Station Road to take the grain to the temporary store at Ongar Hill Road. In addition, all of the HGV traffic that delivers produce from the store on Ongar Hill Road to the store at Wimblington currently goes down via Station Road. While it is noted that the HGVs are not forced to take this route and simply do as a matter of convenience, it is considered to still represent an existing impact from which to compare the proposed development.

The proposed building would change the travel arrangements so that instead the produce will be delivered straight from the fields to the new store on Station Road. It is considered this would not significantly affect the number of tractor-trailer movements up and down Station Road. However, HGV movements associated with the operation would appear to reduce significantly. Rather than starting from Ongar Hill Road and driving down through Clenchwarton and Station Road, the HGVs will instead start their journey at the proposed store, avoiding Clenchwarton and the majority of Station Road.

It was considered in discussion with CSNN whether it would be suitable to condition hours of vehicle movements and for vehicles to only turn right when exiting the site. Due to the nature of agriculture and fluctuating demands of the food industry it would not be reasonable to condition hours that vehicles are permitted to use the site. Sometimes the building will be required at late or early hours. The agent has stated a 'worst case scenario' would be 5am to 10pm on certain occasions. It is considered that occasional HGV visits inside these hours (6 a week during peak season), would not have any significant adverse impact on residential amenity. A third party comment has questioned whether construction hours can be conditioned. It is considered due to the distance to neighbouring property and the relatively small scale of the development that it would not be reasonably necessary to condition hours of construction.

Secondly, it is not considered sufficiently necessary or enforceable to condition a 'turn right only' condition. The majority of the HGV traffic will be travelling south and therefore would automatically turn right out of the site. Some other traffic will still need to turn left to access other parts of the farm and the main yard on Ongar Hill Road. Lastly, if the A17 were to shut or the south part of Station Road was otherwise inaccessible, it would be reasonable to expect HGVs to be able to temporarily go north up station road to carry on their business. Some third party responses have also suggested a weight limit or traffic calming measures should be imposed on Station Road. A weight limit or traffic calming would not only impact on the proposed building, but also all other traffic that uses the road. It is considered the proposed development is not going to have a significant enough impact to warrant such mitigation.

It is acknowledged that as a result of the proposed development, more HGV movements will be focussed on the part of Station Road where the application site lies, however it is considered the significant reduction of HGVs travelling up and down the northern half of Station Road would have some benefit in terms of residential amenity. HGVs will still travel past residential properties which are to the south of the site, however as these properties already experience HGV movements from the existing arrangements, it is considered the development would not result in any significant increase in noise or vibrations.

Overall, it is considered the proposed development would not give rise to any significant impacts on residential amenity.

## **Highway Safety:**

Third party comments have raised concern that the condition of Station Road is not suitable for the proposed development, containing potholes, being relatively narrow and being straight which encourages speeding. It is considered these matters are not relevant to the proposed development. It is not the fault of the applicant if other members of the public choose to speed or otherwise drive dangerously. The Local Highway Authority have considered the proposed development and consider the width of the carriageway is sufficient to maintain a satisfactory standard of highway safety. They do not object on the basis that the parking and turning area is maintained in perpetuity.

Another third-party comment has raised concern that HGVs and tractor-trailers would need to cross over to the oncoming side of the road to enter and exit the site. This would still be the case even if the carriageway was widened, and due to the swept path of HGVs and trailed vehicles, is an inevitable outcome. It is considered due to the relatively low number of trips that the more intense use of the existing access would not give rise to any significant highway safety concerns. While road users may rarely need to slow down to enable a vehicle to enter or exit the site, this would not have any significant impact on highway safety.

Lastly, a third party raised concern that the development could increase risk for pedestrians on Station Road. Due to the resulting reduction in HGV movements up and down Station Road to the north of the site, it is considered the proposed development would not have any significant adverse impact on pedestrian safety.

## **Flood Risk:**

The site lies in Flood Zone 3a of the Borough Council SFRA 2018. The proposed development, for an agricultural store, would be classed as 'less vulnerable' development, which is usually considered acceptable. A Flood Risk Assessment has been submitted with the application and the Environment Agency do not object to the application subject to the mitigation set out in the FRA. The only mitigation set out in the FRA is that the building shall be resilient to flooding up to 3.7m (allow water to pass through) without significant damage to the building. As the building would not have any residential occupation it is considered this is sufficient to mitigate the risks of flooding on the site.

It is not considered sufficiently necessary to require surface water drainage details for the proposed development at the planning stage. While the increased built area would result in some surface water run-off, it is considered this can be sufficiently dealt with via building control.

## **Any other matters requiring consideration prior to determination of the application**

Some third party comments have queried what exactly will be stored in the building. The information submitted with this application sets out that grain will comprise the majority of the storage, with some sugar beet and associated machinery at an ancillary level. Another concern was that storage of machinery could give rise to fire risk. It is considered the development would not lead to any significant increase in fire risk, and due to the distance from neighbouring property would not put any other properties at increased risk.

Some questions have been raised about a 'vending machine' that was mentioned in a Lynn News online article from 10th Nov 2022. The article states that the applicant "wants to work even more collaboratively with other farms, with the ambition of having a vending machine selling local produce next to the A17". The applicant and agent have confirmed that this is just an ambition at this stage and acknowledge any such venture would require its own

separate planning application. It is not appropriate to consider this matter under this application.

Third party comments have highlighted an inaccuracy on the application form. Under the question "has the work or change of use already started?" the box "No" is ticked. The applicant has since acknowledged that the foundations (currently buried), constitute a commencement of development and the description has been corrected accordingly. It is not considered necessary to require an amended application form. A third-party comment also questioned whether the dimensions provided in the application form are correct. The site area stated is 6420sqm, and floorspace of the building is stated to be 882sqm. It is considered both of these figures are accurate.

Concern was raised that letters have been sent in by paid contractors in support of the application. These letters have not been treated as supporting comments. Instead, they are considered to constitute part of the information base making up the application submission. Lastly, concern has been raised that Lyndhurst was not sent a consultation letter. It can be confirmed that a letter was posted however it was returned to the council as delivery was attempted on 26th Jan 2023 but the post person could not access the property. Notwithstanding, a site notice was posted adjacent the site which by itself would be sufficient to meet the statutory consultation duty of the Borough Council. The owner of the property is also clearly aware of the planning application.

Cllr Kemp's letter makes some additional points not raised by other third parties and have not yet been covered in this report. Firstly, it is questioned why the applicant hasn't implemented their existing AG consent for the smaller barn. This is entirely the applicant's prerogative; they are under no obligation to implement that permission and are within their rights to make this planning application as an alternative. Concern is also raised that while existing traffic levels might be considered acceptable, what is there to stop traffic from increasing over time? It is considered the scale of the building effectively caps the amount of traffic that would utilise the site. As such it is considered traffic would not be likely to increase significantly or cause further harm in the future.

## **CONCLUSION**

The proposed agricultural barn would be an acceptable form of development in the countryside in principle. The proposed barn would be constructed to appear in keeping with other similar barns in the wider area. It is considered the proposed development would not give rise to any significant increase in traffic along Station Road. While more HGVs would be focussed at the point of access, this is not considered to give rise to any additional material detrimental impacts on residential amenity or highway safety. The concerns of local residents are noted and have been considered above, however it is considered the issues raised are not sufficient to warrant refusal, can be controlled by other legislation, or are otherwise not material planning considerations. Subject to the conditions set out below, it is the recommendation of the Planning Officer that permission is granted for the proposed agricultural store.

## **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans. Dwg nos. PL100A (Location Plan) and PL101 (Proposed Site Plan, Elevations and Floor Plan).

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: Prior to first use of the agricultural building hereby permitted the proposed access / on-site parking / servicing / loading, unloading / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 2 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 3 Condition: Notwithstanding the provisions of Schedule 2, Part 6, Classes A or B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fans, vents or any other mechanical plant for the purpose of drying, ventilation or extraction shall be allowed to be installed on the building hereby permitted without the granting of specific planning permission.
- 3 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 4 Condition: Prior to the first use of the agricultural store hereby permitted, a detailed noise management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved.
- 4 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 5 Condition: The development hereby permitted shall be carried out in accordance with the mitigation measures set out in the submitted Flood Risk Assessment (FRA) by ELLINGHAM CONSULTING LTD, dated January 2023. In particular, the FRA recommends that there shall be flood resilient construction to a level of 3.7m AOD.
- 5 Reason: To ensure the development is resilient to the risks of flooding for its lifetime in accordance with the NPPF and Policy CS08 of the Core Strategy 2011.
- 6 Condition: Prior to the first use of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels and contours of the bund, and siting and appearance of the fencing indicated on the approved plan. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 6 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 7 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning

Authority gives written approval to any variation. The landscaping scheme shall be retained as agreed.

- 7 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.