

## AGENDA ITEM NO. 9/3(a)

<b>Parish:</b>	<b>Northwold</b>	
<b>Proposal:</b>	<b>Retrospective application (Section 73A) to retain agricultural building and hardstanding</b>	
<b>Location:</b>	<b>Land At E575146 N297997 Inghams Lane Northwold Norfolk IP26 5NL</b>	
<b>Applicant:</b>	<b>Mr Robert Storey</b>	
<b>Case No:</b>	<b>26/00048/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs Jade Calton</b>	<b>Date for Determination: 17 March 2026 Extension of Time Expiry Date: 20 April 2026</b>

**Reason for Referral to Planning Committee** – Called in by Cllr Ryves

**Neighbourhood Plan:** No

### **Case Summary**

The application relates to an agricultural storage barn situated at the northern end of Ingham's Lane, a Public Right of Way, in Northwold.

Retrospective planning permission (S73A) is sought for the retention of the building and hardstanding.

The building measures approx. 45.2m X 15m (678 sqm total floor area) by 7.8m in height (to the ridge). It is used for general purpose agricultural storage, mainly for hay and straw, feedstuffs, tractors and agricultural implements.

Whilst Northwold is classified as a Kay Rural Service Centre (Tier 4 Settlement) with Methwold, the site lies outside of the development boundary and in the open countryside.

### **Key Issues**

Principle of Development  
Character and Appearance  
Neighbour Amenity  
Highway Matters  
Flood Risk  
Other Material Considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

The application relates to an agricultural storage barn situated at the northern end of Ingham's Lane, a Public Right of Way, in Northwold. The site forms part of a wider agricultural holding totalling over 20ha.

Retrospective planning permission (S73A) is sought for the retention of the building and hardstanding. The building is used for general purpose agricultural storage, mainly for hay and straw, feedstuffs, tractors and agricultural implements.

The building measures approx. 45.2m X 15m (678 sqm total floor area) by 7.8m in height (to the ridge). The building has an asymmetrical pitched roof with the eave's heights measuring approx. 4m to the eastern elevation of the building and approx. 4.8m to the western elevation. The building is open fronted to the west divided by multiple vertical steel supports with an overhanging roof canopy supported

External building materials include concrete panels to the lower elevations and vertical timber cladding to the upper elevations, with a grey profiled sheeted roof. The hardstanding comprises crushed chalk.

## **SUPPORTING CASE**

The application is supported by a Planning Statement, which offers the following case: -

'The applicant, Mr R Storey, farms an agricultural holding totalling just over 20ha.

All the land is used as agricultural grazing land, part of an agricultural unit.

Unfortunately, Mr Storey was incorrectly advised that the building in question could be erected without planning permission and went ahead with the project, for which he now apologises.

This application is for the retention of the building and crushed chalk hardstanding.

The building will be used for general purpose agricultural storage, mainly for hay and straw, feedstuffs, tractors and agricultural implements.

The size of the building was mainly dictated by the amount of space needed to store the large hay and straw bales. These bales weight up to 500kg each and, therefore, need large equipment to move them around. Tractors/trailers/forklift/teleporter and other agricultural ground care implements will occupy the rest of the shed.

The farm is used to graze sheep, pigs and cattle.

The site for the building was selected as the most appropriate location to serve the farm and also well away from the village, barely visible from any public domain.

Although situated close to a small tributary of the River Wissey, the site itself is not in a flood risk zone. The siting of the building has been deemed acceptable by the Environment Agency'.

The Agent has supplied a copy of the email exchange from the EA and the Applicant agreeing to the maintenance of the drain adjacent to the development.

## **PLANNING HISTORY**

No relevant planning history.

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECT on the following grounds**

- Issues with highways safety.
- Area is a quagmire and the verges have been reduced so not safe for people to walk on them.
- Build does not agree to plan.
- Build can be seen from the public road when applications says you cannot, but can be seen from length of byway.

### **Highways Authority: NO OBJECTION**

### **Environment Agency: NO OBJECTION**

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

The site is outside of the Northwold Internal Drainage Board.

### **Public Rights of Way: NO OBJECTION**

Would highlight that access to the site will be via the Public Right of Way known as Northwold Restricted Byway 3 which does not offer any means of public vehicular access, and it is not maintainable at the public expense to a vehicular standard. It would be expected that any damage caused to the Restricted Byway by the exercise of the private rights remains with the rights holders to repair.

The full legal extent of this Restricted Byway must remain open and accessible for the duration of the development and subsequent occupation.

### **Senior Ecologist: NO OBJECTION**

Some form of enhancements should be incorporated into the site to compensate for the loss of habitat and meet the developments duty to deliver a net gain in biodiversity.

## **REPRESENTATIONS**

**THREE OBJECTIONS** received from Third Parties raising the following concerns: -

- Information within the application form is incorrect.
- The building can be seen from the PRow.
- Very large.
- The PRow is enjoyed by local residents and permitted users.
- Dominates views from the footpath.
- Impact upon amenity.
- Poor siting and access arrangements.
- Since being built there has been an increase in vehicular use of the PRow, at speed.
- Heavey vehicles accessing the site.
- Surface damage.

- Impact on use for people with disabilities / vulnerable people and people with pushchairs.
- Unsafe for pedestrians, particularly in wet weather.
- Highway Safety.
- Narrow track.
- Unsuitable for use by larger vehicles and equipment, particularly when carrying bales of hay.
- Potential damage to Third Party's outbuilding.
- Could have been located closer to the main farmhouse and buildings.

## **KING'S LYNN AND WEST NORFOLK LOCAL PLAN 2021-2040**

**LP01** - Spatial Strategy and Settlement Hierarchy Policy (Strategic Policy)

**LP06** - Climate Change (Strategic Policy)

**LP13** - Transportation (Strategic Policy)

**LP18** - Design & Sustainable Development (Strategic Policy)

**LP19** - Environmental Assets - Green Infrastructure, Landscape Character, Biodiversity and Geodiversity (Strategic Policy)

**LP21** - Environment, Design and Amenity (Strategic Policy)

**LP25** - Sites in Areas of Flood Risk (Strategic Policy)

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

**The main considerations in the determination of this application are:**

- Principle of Development
- Character and Appearance
- Neighbour Amenity
- Highway Matters
- Flood Risk
- Other Material Considerations

### **Principle of Development:**

The application site lies within the countryside. The NPPF and Local Plan Policy LP01 seek to protect the intrinsic landscape character and beauty of the countryside.

The principle of an agricultural building in the countryside complies with the general aims and provisions of the NPPF by supporting the rural economy and promoting sustainable

agricultural development. Paragraph 88 of the NPPF specifically supports the 'sustainable growth and expansion of all types of business in rural areas through the development of well-designed new buildings'.

Whilst there are no specific Policies within the Local Plan which are strictly relevant to the proposal, Policy LP04 (Presumption in Favour of Sustainable Development) states that 'where there are no development plan policies relevant to the application.....the Council will grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'.....

The general commentary within the Local Plan explains that 'beyond the villages, the locally distinctive countryside has been protected in its many attributes and continues to provide for the social and economic needs of those who live and work there. (This includes acknowledging the value that farming contributes to the economy and landscape)'.

This type of development is generally accepted in rural areas, where it is reasonably necessary for agricultural purposes. Further, given its scale, nature, appearance and location, it cannot be said to cause any significant or demonstrable harm to the local environment.

As such, the development is considered to be acceptable in principle in accordance with the Development Plan.

The Applicant states that they believed the building to benefit from Permitted Development under Part 6 of the GPDO. However, it is likely that when including the hardstanding, the development exceeded the size limitations for ground coverage within the legislation.

### **Character and Appearance:**

The parcel of land which houses the building is lined with trees and as such there are no long views of the barn across open countryside. There are limited views of it when travelling up Inghams Lane, but these are localised.

The building's scale, appearance and use of materials is typical of a modern agricultural barn, considered to be in keeping with the agricultural character of the area. The building is sited on an established agricultural unit and would therefore cause no visual harm to the character and appearance of the countryside.

The hardstanding is not formalised, comprising crushed chalk to the front of the barn leading to the access gate to the south of the site. As this provides a functional element to serve the barn, and is not unusual, it is not considered that it causes any adverse impact to visual amenities.

It is considered therefore that the development accords with Local Plan Policies LP18 and LP21; and the provisions of the NPPF.

### **Neighbour Amenity:**

There are no neighbouring properties within proximity of the building itself. However, there are a number of dwellings at the point of access where Ingham's Lane meets the highway at West End, Northwold.

Any impact on residential amenity from the development would be as a result of the heavy vehicle movements accessing the site via Ingham's Lane and past those dwellings. Notwithstanding this, the lane was being used to serve the existing holding prior to the

construction of the building. Furthermore, the Applicant has stated that the location of the building means that vehicular movements along the lane are actually reduced as a result. Farm vehicles such as tractors, harrowing, haymaking and baling equipment are now stored in the building which means they no longer have to use the lane to serve the surrounding land.

The Applicant has confirmed that other than the occasional use by light vehicle or quad bike to inspect premises and animals, vehicular use of Inghams Lane will be limited to the JCB telehandler, which is seasonal only. This is only used to transport feed bales from the building to the animals in the fields to the south of the site.

Depending on where the livestock is located, how many animals and weather conditions, vehicular movements along Inghams Lane are likely to be no more than 2-3 times per week.

Third Party concerns regarding impact upon amenity for these reasons are noted. However, if the agricultural building wasn't there, the current vehicular use would be the same due to the fact that the hay bales were previously stored in the open or under tarpaulins and would still need to be transported using the lane.

The majority of the recent heavy vehicular movements experienced by Third Parties would have likely been during construction of the building, which is not an ongoing concern. The current use of the lane is because the animals are located on the southernmost paddock, due to field rotation. This does not happen all the time, but is the reason that hay is being transported, using the lane. This would be happening regardless of whether the building was there or not.

If the building had been located further south, closer to the village, as suggested by Third Parties, those heavy traffic movements would have had to use the Restricted Byway. The very intentions of the Applicant for siting the building so far to north was purely to avoid such vehicles needing to go through the village via West End and up Inghams Lane.

On the basis of the above, it is considered that the development would not cause significant harm to the amenities of local residents, in accordance with Local Plan Policy LP21 and the provisions of the NPPF, in particular paragraph 135.

### **Highways Matters:**

The Local Highway Authority raises no objection to the development, on the basis that the building is only utilised to support the existing agricultural uses of the site. Therefore, in response to Third Party concerns, there would be no highway safety issues regarding the adopted road network.

Third Party objections regarding the use of the Public Right of Way (PRoW) are noted. However, the NCC PRoW Officer raises no objection to the development. They acknowledge that access to the site will be via the PRoW known as Northwold Restricted Byway 3, which does not offer any means of public vehicular access, and it is not maintainable at the public expense to a vehicular standard. But they also state that it would be expected that any damage caused to the Restricted Byway by the exercise of the private rights remains with the rights holders to repair.

The PRoW forms the first 438 metres (approx.) north along Inghams Lane from West End, and the application is a further 259 metres (approx.) north of that point where the track continues to the site's access gates. The PRoW redirects east before it reaches the application site and then returns south to join the village.

As explained above, the use of the Lane would be occasional (2-3 times per week) and seasonal by light vehicles or quad bikes and a telehandler to transport hay bales, which would have occurred prior to the construction of the building.

The Applicant has confirmed that there is only one allocated driver for the telehandler who drives very slowly and takes heed of possible walkers and dogs.

The hay producing fields are located to the north of the agricultural building, which, as explained above in the report, means that heavy tractors, haymaking/baling equipment do not have to use Inghams Lane. Likewise, strawbales are sourced from an adjoining farm to the north and are, therefore, delivered over the farmland to the building, without having to use the Lane.

The Applicant is fully aware that the Lane is a 'Restricted Byway' and is merely exercising their private land owner rights, as has always been the case, and confirms that there is no 'significant misuse' of the Lane. The Applicant also confirms that the surface will be repaired at their own expense at the end of each winter season.

Additionally, a condition is recommended tying the development to the agricultural holding, as shown as blue land on the submitted plans, in order to prevent the building from being rented or sold off separately and potentially giving rise to highway safety issues.

Overall, it is considered that the development accords with Local Plan Policies LP13, LP18 and LP21; and the provisions of the NPPF, in particular chapter 9.

#### **Flood Risk:**

Although the application site is situated close to a small tributary of the River Wissey, the site itself is not within a Flood Risk Zone.

Whilst the siting restricts access for large Environment Agency machinery to maintain a small part of the river, the EA raises no objection to the development on the basis that the Applicant undertakes maintenance for the length of the watercourse adjacent to the building to an approved suitable standard, as already agreed.

It is considered therefore that the development accords with Local Plan Policy LP18 and LP25; and the provisions of the NPPF.

#### **Other Material Considerations:**

**BNG** - The development is exempt from the mandatory BNG contribution given the fact that it is retrospective. However, it would be reasonable to condition ecological / biodiversity enhancements to be incorporated into the site to compensate for the loss of habitat and meet the developments duty to deliver a net gain in biodiversity, in line with Local Plan Policy LP19 and the NPPF, as requested by the Ecology Officer.

**Representations** - The Parish Council and Third party concerns, including highway safety / use of the PROW and visual amenities, have been taken into full consideration in making a recommendation for this application. The majority of those concerns have been addressed above in the relevant sections of the report.

In regard to the information within the application form being incorrect, this relates to the question asking if the site can be seen from a public road, footpath or other public land. The Applicant has stated 'no' but the Third Party claims that it can. This section of the application form is for the benefit of the site visit, and it indicates that the officer would need to access

the application site itself to clearly view the building. It is acknowledged that the building can be partially seen from Inghams Lane Byeway but not withstanding that, the veracity of the submission (the application form) is not for officers to question.

**Public Sector Equality Duty** - In making this decision the Authority must have regard to the public sector equality duty (PSED) under Section 149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in Section 149. It is only one factor that needs to be considered and may be balanced against other relevant factors.

Taking the above into account, it is considered that the recommendation in this case may have an impact on individuals with protected characteristics if they are users of the footpath. A Third Party has stated that Inghams Lane is used by people disabled and elderly people and people with pushchairs.

As such, the potential impact on all users of the footpath, including individuals with protected characteristics, has been assessed and it is considered that this does not outweigh the wider benefits of the scheme.

**Climate Change** - Local Plan Policy LP06 requires developments, where necessary, to contribute to the goal of becoming carbon neutral by 2050. Part of that the policy encourages sustainable development that reduces the borough's carbon footprint. With this in mind, the development will result in the agricultural use operating in a sustainable way due to the improved accessibility between the agricultural machinery / vehicles, foodstuffs and such like to their surrounding farmland. Additionally, the development comprises a modern agricultural building, constructed using sustainable construction methods, in accordance with the Policy.

It is considered that the development complies with the general aims and provisions of the LP06 by virtue of the fact that the building is reasonably necessary for agricultural purposes, providing infrastructure tied to the land that it serves, in an appropriate and functional location.

**Crime and Disorder** - Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee is not considered to have any material impact upon crime and disorder.

## CONCLUSION:

The positioning of the agricultural building has been carefully considered to minimise the impact on the local highway network, specifically Inghams Lane. By locating the storage barn to the north of Inghams Lane, closer to general operational areas, the applicant significantly reduces the frequency of heavy machinery movements, including tractors and harvesting equipment that would otherwise be required to use the lane.

As such, the development would not harm the amenities of local residents, neither would it have an adverse impact upon highway safety or the use of the PRoW.

The scale, design and materials of the building are characteristic of an agricultural building found in the local landscape. And whilst it's not overly prominent in long open views, it is considered to cause no visual harm to the character and appearance of the countryside.

Consequently, the agricultural building and associated hardstanding represents appropriate, sustainable development in the countryside, in accordance with Local Plan Policies LP01, LP06, LP18, LP19, LP21 and LP25; and the general aims and provisions of the NPPF.

## RECOMMENDATION:

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

- 1 Condition: The development has been determined in accordance with the following approved plans:  
15071: Location Plans  
150724: Elevations and Plans
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The development hereby approved shall be held and used in conjunction with the Agricultural Holding identified on the approved Location Plan ref: 15071.
- 2 Reason: To define the terms of this permission as the use of the building as a separate entity or by third parties could lead to traffic generation/implications which would require further assessment, and to accord with the provisions of the NPPF and Local Plan Policy LP13.
- 3 Condition: Within 6 weeks of the date of this permission, a scheme detailing ecological enhancement measures for the site shall be submitted for approval in writing by the Local Planning Authority. Enhancement measures shall include, but not limited to:
  - a) At least one bird box
  - b) At least one bat box
  - c) Pollinator-friendly planting

Details of the location, design, materials, and maintenance of all measures shall be submitted with the abovementioned scheme.

Within a further 6 weeks, the approved mitigation measures shall be implemented in full accordance with the details agreed in writing by the Local Planning Authority and shall be retained thereafter for the lifetime of the development.

- 3 Reason: To secure biodiversity net gain and enhance the ecological value of the site in accordance with Policy LP19 of the Local Plan (2021-2040) and the provisions of the NPPF.