

AGENDA ITEM NO: 9/1(a)

Parish:	Wormegay	
Proposal:	Erection of new cold store building, change of use of existing cold store building to packing shed and alterations and extensions to existing cold store building.	
Location:	Alfred G Pearce Castle Road Wormegay King's Lynn PE33 0SG	
Applicant:	Alfred G Pearce Limited	
Case No:	22/01333/FM (Full Application - Major Development)	
Case Officer:	Mrs C Dorgan	Date for Determination: 3 November 2022 Extension of Time Expiry Date: 7 July 2023

Reason for Referral to Planning Committee – The Parish Council comments are contrary to the office recommendation and the application was referred to Committee by the Sifting Panel.

Neighbourhood Plan: No

Members Update:

The application was deferred from 3rd July Planning Committee to enable the applicant to consider the siting of an earth bund along the northern boundary of the site.

The applicant has confirmed that an earth bund could be constructed to the north of the proposed cold store within the existing staff car park.

Therefore, Members are asked to determine the application as submitted but with an additional condition attached requiring details of the earth bund (and associated landscaping) to be submitted and agreed by the Local Planning Authority.

Updated sections of the report are in bold.

Case Summary

The application site is a vegetable processing plant located close to the centre of Wormegay, operated by Alfred G Pearce Limited. The application seeks consent for alterations/extensions to an existing cold store and the construction of a new cold store elsewhere on the site.

Access to the site is via Castle Road. The site is bounded to the north by residential development and to the south and west by open countryside.

The application seeks to change the use of the existing cold store to a packing shed with alterations and extensions to the building. The existing cold store is located in the southeast corner of the site, to the rear of the main processing building. The building is adjoined to the

north and west by areas of concrete hardstanding; whilst to the south and east there are open fields.

The site of the proposed cold store is to the west and presently forms part of the open yard serving the business and includes part of an existing effluent plant which is now defunct. There are areas of hardstanding to the south and east and open fields to the west beyond the remainder of the effluent plant. To north is the staff car park.

The site of the proposed development falls outside but immediately adjacent to the development boundary for Wormegay, as defined in the Local Plan.

Key Issues

Principle of Development
Form and Character
Neighbour Amenity
Highways/ Access
Drainage
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site is a vegetable processing plant located close to the centre of Wormegay, operated by Alfred G Pearce Limited. The application seeks consent for alterations/extensions to an existing cold store and the construction of a new cold store elsewhere on the site.

Access to the site is gained from Castle Road. The site is bounded to the north by residential development and to the south and west by open countryside. The site of the proposed development falls outside but immediately adjacent to the development boundary for Wormegay, as defined in the Local Plan.

The application seeks to change the use of the existing cold store to a packing shed with alterations and extensions to the building. The existing cold store is located in the southeast corner of the site, to the rear of the main processing building. The building is adjoined to the north and west by areas of concrete hardstanding; whilst to the south and east there are open fields.

The site of the proposed cold store presently forms part of the open yard serving the business and includes part of an existing effluent plant which is now defunct. There are areas of hardstanding to the south and east and open fields to the west beyond the remainder of the effluent plant. To north is the staff car park.

The existing cold store building (5.3m in height to the pitch) would be adapted for use for vegetable packing. A wrap around lean-to extension is proposed to the north and east of the existing cold store building to enable its use as a packing shed. The materials will match the existing building (profiled metal sheets) and the lean-to extension will be 3.3m in height at the highest point with a footprint of 4.5m and 2.8m. A new roller shutter entrance would be provided in the side extension with two personnel doors, with staff facilities and a workshop

located to the rear. The proposed additions would increase the footprint of the building by around 103m².

The proposed new cold store building would be very similar in size and appearance to the existing cold store. The building would be around 16 metres long and 15 metres wide, with a maximum height of 5.5 metres with an eaves height of 4.7m. It would be clad in profiled metal sheeting in olive green to the walls and goosewing grey to the roof. The main access to the building would be located in the south elevation. The external cooling plant would also be positioned on the south elevation.

SUPPORTING CASE

Alfred G Pearce is a family-run business supplying processed vegetables to the food industry. It has been based on the application site in Wormegay for more than 25 years. The plant employs around 50 people.

Due to changes in the food industry, the demand for packaged vegetables has increased over recent years. To meet this increasing demand, the applicant wishes to enlarge their packing facilities. It is proposed to do this by changing the use of an existing cold store located to the rear of the site to a new packing shed. To replace this cold storage facility, a new cold store building is proposed close to the main vegetable processing building.

The purpose of the proposed development is therefore not to increase production, but to allow changes to be made to production methods to meet customer demand. Consequently, no material changes to traffic movements to and from the site are expected as a result of the proposals. No additional staff will be required as further automation will be introduced to deal with new packing operations. The vegetable processing plant currently operates 6-days per week, and has done so for the last 3 years. It is not expected that this operating regime will change in the foreseeable future.

Given the location of the site on the edge of the village, careful consideration has been given to likely impacts on the amenities of neighbours. The proposed packing shed would be located to the rear of the site and shielded from neighbours by the main factory building. The types of food preparation and packing machinery proposed would not be noisy and would be contained within the building.

The proposed cold store would face away from neighbours and external plant would be screened by the proposed building. A noise assessment report has been provided which confirms that the proposed refrigeration equipment would have a negligible impact on the nearest neighbours. The location of the cold store adjacent to the main production building would reduce forklift movements within the site. An existing bund would be extended to accommodate the proposed development.

More generally, the applicant remains committed to reducing the impact of the business on local residents, whenever this is practicable. For instance, as part of a current scheme to replace the existing dispatch refrigeration system, the external compressor/condenser unit which is currently located to the side of the main building, will be replaced with a new unit sited at the rear of the building, where it will be screened from neighbours by the building.

PLANNING HISTORY

22/02086/FM Installation of solar farm - Alfred G Pearce

20/00487/F: Application Permitted: 22/02/21 - VARIATION OR REMOVAL OF CONDITION 2 OF PLANNING PERMISSION 18/01008/F: Retention and extension of effluent treatment plant, including the erection of a new DAF/control room building and the installation of new tanks and associated plant and equipment - Alfred G Pearce

19/00526/F: Application Permitted: 09/05/19 - Erection of storage building - Alfred G Pearce

18/00977/F: Application Permitted: 27/07/18 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION 17/01916/F: Erection of cold store and staff facilities buildings - Alfred G Pearce

18/01008/F: Application Permitted: 01/04/19 - Retention and extension of effluent treatment plant, including the erection of a new DAF/control room building and the installation of new tanks and associated plant and equipment - Alfred G Pearce

17/01916/F: Application Permitted: 05/01/18 - Erection of cold store and staff facilities buildings - Middle Farm

12/00821/F: Application Permitted: 02/10/12 - Erection of rear extension to existing processing plant to provide new loading and unloading area. - Middle Farm

11/00166/F: Application Permitted: 18/04/11 - Variation of condition no 1 of planning permission 08/02267/F to allow consent for vegetable store and compressor room to be granted for a further five years - Middle Farm

08/02267/F: Application Permitted: 04/12/08 - Retention of vegetable store and compressor room for a further 3 years - Middle Farm

07/02000/F: Application Permitted: 04/12/07 - Retention of vegetable store and compressor room - Middle Farmhouse

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

Email from NCC Highways 19 October 2022 recommends considering limiting the throughput of the site because the application could be considered an overall expansion of the existing facilities - a limitation would ensure no increase in additional HGV movements. Road conditions and noise from HGV are an existing concern for the Parish and we would want to see this restriction put in place before we support enhancements to the existing facilities. In addition to this, there are already complaints from residents suffering due to noise and activity during the night and early morning which has increased over recent months, and there are concerns that enhancements to the facilities could cause further problems, when existing issues are not being addressed.

Local Highway Authority: NO OBJECTION

Following discussions regarding the earth bund and staff car park: We are satisfied that the affected spaces could be reassigned within the site and the LHA would not therefore recommend an objection to this aspect.

It would be difficult to substantiate an objection should it be the case of no material increase to the HGV movements would result. The principle being that the same level of produce is said to be processed but then supplied out in a different form. We are however conscious

that the road conditions leading to the site are far from ideal due to the mix of HGV's with residential traffic (some of which are parked) and the tight bends that exist around Crown House. It may be beneficial therefore that consideration be given to a limit the throughput of the site at this stage as the site applications could be considered as an overall expansion to the available facilities on the site and if run differently could result in additional HGV movements, particularly if they offer packing to third parties.

Environment Agency: NO OBJECTION

Contamination - The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here: <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

Infiltration Sustainable Drainage Systems (SuDS) - The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here: <https://www.gov.uk/government/collections/groundwaterprotection>. In addition, they must not be constructed in ground affected by contamination.

IDB: NO OBJECTION

Lead Local Flood Authority (NCC): NO COMMENTS

Anglian Water: NO COMMENTS

CSNN: NO OBJECTION subject to conditions.

Following discussions regarding the earth bund: The proposed earth bund is a welcome measure to reduce possible adverse impact from noise. However, I would like to make it clear that there is no requirement for such a bund and that details of its attenuation properties are not required by the CSNN team because the scheme as originally proposed offered suitable protection from noise for the local residents.

In the interests of reducing all site noise impacts on residents, the extension of the earth bunding (height and length – this could be conditioned to be actioned within a set timeframe) and conditioning that “Packing machinery would only be operated with the doors of the building closed”, plus conditioning the surface water drainage, and external lighting.

Please condition the surface water drainage for the new cold store, the extension to the existing cold store building and the yard drainage scheme to be commenced imminently, so that full plans are provided detailing all drainage. Whilst the agent states the latter has been agreed with the EA, we wish to see the agreed scheme plans and consider these are relevant to this application. Furthermore, it is in the interests of this team and the applicant that the agreed scheme is recorded/documentated within the BCKLWN records (the planning file being the best location) should reference to the design etc be required in the future.

Please condition external lighting, as it is considered that lighting will increase on site to accompany the extension and new building. Lighting should be downwards directed and shielded where it could impact off-site.

Environmental Quality: NO OBJECTION subject to condition.

The applicant has provided a site plan detailing the works. We have reviewed our files and the site is on land that has not been seen developed for the duration of our records until aerial photography shows it with hard surfacing being used to store items. The surrounding landscape is largely residential and agricultural. The information submitted does not indicate the presence of significant land contamination. However, the former use of the site for storage means that it's possible that some unexpected contamination could be present. Therefore, a condition should be included.

Air Quality - In terms of air quality / emissions it is noted that no information has been provided of vehicle movements. Information as set out by NCC is requested.

MOD Safeguarding: NO OBJECTION

The MOD has no safeguarding objections to this proposal.

Architectural Liaison Officer:

Secured by Design aims to achieve a good standard of security for buildings and the immediate environment. The ALO welcomes the opportunity to work with the applicant to ensure the approach continues.

The following matters are raised for consideration –

- Site entrances should have a 'barrier' to demarcate the private use. This could include brick pillars, or a change in surfacing.
- Defensible space aims to control the access/ movement of people around employment sites.
- Access gates and perimeter fencing.
- Building design should avoid blank windowless elevations to enable natural surveillance.
- Use office spaces 24/7, and clear signage to advertise the level of guardianship.
- Positioning of reception areas and desks.
- Natural surveillance of car parking and cycle parking.
- Secure cycle parking facilities.
- Appropriate landscaping and lighting schemes.
- CCTV and intruder alarms.

Norfolk Fire and Rescue: NO OBJECTION subject to condition.

With reference to the proposed commercial development, based on the location and infrastructure already in place, Norfolk Fire & Rescue Service will require a minimum of 1 fire hydrant(s) to be installed, in a location(s) agreed by us to ensure adequate fire fighting water provision. Also provides detailed guidance re Building Control requirements.

REPRESENTATIONS

SEVEN letters of **OBJECTION** received. The following issues were raised-

Traffic issues-

- With the extra cold store capacity it is inevitable that this would increase the HGV traffic to and from this site. The road network servicing this site is not suitable for HGV vehicles let alone increase the traffic already in and out of this site.
- In the majority of the planning permissions granted by yourselves it is stated that there will be less vehicle movements how is this monitored as we have noticed an increased after each application. What control will be in place on the early morning starts on the vehicle movements? This is not always adhered to. Vehicle movements day and night in and out of the site.
- There are alternative sites, owned by the applicant with better transport links which could be used for this development which would not impact on residential neighbours.

Noise / Disturbance -

- Planning policy may support growth of sustainable development but not development which would reduce the quality of life for all the local residents.
- It is proposed that the new cold store is to be built directly behind our property. The existing cold store which is much further away already makes unacceptable noise through the night. Building one closer to our property, will be unbearable. Query the validity of the noise survey.
- All the properties adjoining this proposed site will suffer the consequences of the new building with the noise etc that comes from this factory and the vehicles. The noise which already goes on 24 hrs a day 7 days a week disturbing sleep. The refrigeration unit running the cold store currently operates 24hrs a day.
- The Noise Impact Assessment only refers to the chiller unit. What about the operational activity noises i.e. Loading/unloading products to/from the new cold store, LGVs, folk lifts ,tractors etc. It would be more sensible to locate this cold store adjacent to the existing one.

Neighbour Amenity –

- Allowing the continual expansion of this business in a small village means there is no real consideration for the impact on the lives of local residents. The current imposing noise of the working factory (day and night) and the HGV vehicles (many of which have no consideration for residents e.g. in the way they drive or leave refrigeration engines running during the night) is often unbearable. A new larger, noisy cold store and separate packing store is bound to attract even more HGV vehicles that bring more noise and traffic congestion to this very small village.
- Poor track record of site management to date. Noise issues currently, waste management on site, plus did not adhere to previous conditions re landscaping.

Other –

- This will set the precedent once again of building outside the boundaries of our village planning. If this is granted will this set a precedent that they can continue expanding outside the village boundary?
- Do the same conditions apply (to the new cold store building) as the last planning application granted on the condition that no work is to start until the full archaeology dig has been completed?
- Residents have requested plant screening since 2018, when the last planning application 18/01008F was granted. How will the Council ensure the boundary treatments are implemented?

- Lack of clarity – concern the site will further expand and seek to increase hours of operation in the future.
- Block view from the rear of house and garden across the fields.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character
- Neighbour Amenity
- Highways/ Access
- Drainage
- Other Material Considerations

Principle of Development

The application seeks consent for the reuse/ expansion of an existing building and the construction of an additional building with the site of an established existing rural business.

Policy CS06 seeks to promote sustainable communities and sustainable patterns of development and to ensure employment is provided in close proximity to housing, service and other facilities.

Policy CS10 of the Core Strategy aims to support the rural economy, with permission granted on land which would not otherwise be appropriate for development for an employment generating use which meets a local business need. This development is subject

to a number of criteria, and in this case; the development proposed includes the erection of a new cold store building as well as extensions to an existing building which are appropriate in size and scale to the existing site and the wider local area. The application site is adjacent to the settlement, and the impact of the proposed development on residential neighbours has been considered and is discussed below.

The principle of development is acceptable and in line with the NPPF, Policy CS06 and CS10 (of the Core Strategy).

Form and Character

The proposed development as detailed above reflects the well established existing use of the site and would be barely visible from nearby public viewpoints. The proposed development would be viewed within the context of the existing buildings/ site and as a result would have a minimal impact on the form and character of the locality.

There are no specific landscaping or boundary treatments proposed by the applicant as they are seeking to rely on existing boundary treatments on site. While the development is within the wider established employment site the construction of the cold store building does warrant additional planting along the eastern boundary and therefore a landscaping condition is attached. An objection received does refer to the loss of a view from a neighbouring dwelling, but a resident's view is not a material planning consideration in the determination of an application.

Following on from the Planning Committee meeting on 3rd July, the applicant has looked at various options to accommodate an earth bund to the north of the proposed cold store and the only feasible option is to locate this within the existing staff car parking area. It is considered that a bund measuring 12.5 metres long by 7 metres wide could be accommodated here. The bund would be 3 metres high and tee off the existing bund at 90 degrees. It is necessary that the bund would also be landscaped, and it is suggested a condition is attached to secure the details of the earth bund and the associated landscaping. Visually the landscaping would assist in minimising views into the site from the dwellings to the north.

To the north west of the application site (approximately 140m) lies a Scheduled Ancient Monument, a motte and bailey castle. No comments have been received from the Historic Environment Service. It is considered that there is sufficient separation between the development proposed and the monument in terms of the distance between, the existing earth bund and the residential development between the two. In addition, the application site is already well established and the development is within the existing site and does not extend further into the countryside.

In terms of design, the development proposed is considered acceptable as reflects the use of the building and would be viewed in context of the existing wider employment site, and is therefore in line with the NPPF, policies CS08 CS10 and DM15 of the adopted Local Plan.

Neighbour Amenity

The change of use and the extensions proposed to the existing cold store building are to the north and east of the existing building which is some distance from the neighbouring dwellings. The use of the building for packing would utilise new packing machinery. The agent has provided information (in an email dated 6 Feb 23) regarding the type of machinery to be used (although the specific details of this are as yet undecided), along with details of the construction of the building. CSNN has requested a condition is attached to ensure the machinery would only be operated when the doors of the packing building are closed. With

this safeguard in place, it is not considered that the extensions proposed would be detrimental to neighbour amenity.

Objections have been received from neighbouring residents to the proposed development which cover a number of issues. Firstly, that the development would lead to increased vehicle/ HGV movements, the construction of the new cold store would create a noise nuisance even closer to dwellings than is currently the case as well as the additional LGV noise, unloading/ loading, forklift trucks etc. The site is in operation 24 hours a day, 7 days a week which neighbours state causes noise and disturbance to residents and additional activity on the site would make the situation worse.

The agent has responded and clarified that no additional HGV traffic would be generated as a result of the proposed development and that no additional staff would be employed, as further automation would be introduced for the packing. The development would allow produce to leave the site packaged, where as previously the vegetables were supplied unpackaged. The agent also states that the proposed location of the new cold store, closer to the production line would actually reduce fork lift vehicle movements across the site, rather than increase these.

The applicant submitted a Noise Impact Assessment for the proposed chiller unit only, and the report concludes that the addition of the cold store building services plant has been calculated to have negligible impact at the receptor locations (dwellings to the north of the site). The calculated background sound levels were shown to be significantly below the representative background sound level, and so no adverse impact is anticipated. The proposed cold store building is approximately 46m south of the closest neighbouring dwelling with the plant equipment on the south elevation of the building being approximately 64m from the nearest dwelling.

The CSNN Officer has considered the impact of the scheme on residential amenity and does not raise any objections. Whilst the development does expand the operations on site, based on the Noise Impact Assessment and the information submitted alongside the application, it is not considered that the development proposed would have a significant impact on neighbour amenity. The CSNN officer does make a suggestion to extend the earth bund on the north eastern boundary however there is no overall objection to the scheme in its current form and this is above and beyond what is required for the development proposed.

Following the Planning Committee meeting, Members asked that the applicant investigate the provision of an earth bund. The applicant is able to construct an earth bund to the north of the proposed cold store within the existing staff car park. This is to be located between the neighbouring residents to the north and the proposed cold store to the south. The CSNN officer has stated that while this is welcomed, the CSNN team are satisfied that the original scheme offered suitable noise protection for neighbouring residents. As such the bund would not give rise to any neighbour amenity issues in its own right and would only offer additional benefits to residents.

Conditions are requested by CSNN requiring that any external lighting should be part of a scheme submitted to and agreed by the LPA, which is necessary given the rural location, hours of operation on the site and proximity to neighbouring dwellings.

Another concern raised by neighbours is that of dust and flies generated from the site which impacts on neighbouring residents. If this is an ongoing issue this should be reported to the Community Safety and Neighbour Nuisance Team. The proposed development is not considered likely to exacerbate this concern.

Whilst historically there has been complaints made against activity on the site and the impact of this on neighbouring residents, it is our recommendation that there are sufficient controls in place to prevent any detrimental impacts on neighbours as a result of the proposed development, and further CSNN does not object to the scheme. The development proposed, subject to conditions, is in line with the NPPF, policies CS08 and DM15 of the adopted Local Plan.

Highways / Access

As stated above the development proposed is within an existing well established commercial site and would utilise the existing access via Castle Road. The development proposed would change working practices rather than result in an over-intensification of the site. The agent has confirmed there is no anticipated change to the overall number of lorry movements and that no additional staff are required as further automation is to be introduced.

The Local Highway Authority is unable to substantiate an objection to the scheme based on the fact that there would be no material increase to the HGV movements. However, concerns are raised regarding the local road conditions for this type of traffic, and that consideration be given to limiting throughput of the site as the development could represent an expansion to the site, particularly if the site were to be operated differently. The Parish Council draws attention to these comments. However, it is not considered reasonable or enforceable to attach a condition restricting the throughflow of vehicles when the development proposed does not generate any additional vehicle movements. Paragraph 56 of the NPPF states that 'planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects'. Further, no evidence has been submitted to demonstrate that the impact of the development would be severe in accordance with paragraph 111 of the NPPF.

The proposed construction of an earth bund within the existing staff car park would only slightly reduce the amount of parking available, sufficient spaces could still be retained by better marking out parking spaces to secure a more efficient use of the car park. The Local Highway Authority has confirmed they have no objections to this arrangement and are satisfied that the affected spaces could be reassigned within the site.

The development as proposed is in accordance with the NPPF, Core Strategy policies CS08 and CS11, and Site Allocations and Development Management Policies Plan policies DM15 and DM17.

Drainage

Currently, roofwater run off is discharged to the dyke adjacent to the site, as agreed with the Environment Agency. It is proposed that roofwater from the new cold store would be dealt with in the same way. A new drainage system to handle surface water from yard areas has been designed with dedicated drainage lines running through oil interceptors, with gated valves and alarm systems, again as agreed with the EA. The project would also reduce any surface water loading to the effluent plant. However, to date the drainage details have not been provided and so it is necessary to attach a condition to secure and agree this information. In terms of drainage the proposed development is in accordance with the NPPF, and policies CS08 and DM15 of the adopted Local Plan.

Other Material Considerations

Archaeology – An objection to the application requests that a full archaeology dig should be required (as was previously for development on site). However, the Historic Environment Service has not commented on the application nor requested conditions. The building is to be constructed on land currently utilised for the yard serving the business and the existing effluent plant which is now defunct.

Contamination – While the information submitted does not indicate the presence of significant land contamination, the Environmental Quality officer has suggested some unexpected contamination may be present and therefore a condition should be attached.

Fire Hydrants – Norfolk Fire and Rescue require the provision of at least one fire hydrant to be installed on site and this is secured via condition.

Objections – Concerns have been raised by local residents regarding the further expansion of the site area/ business. Any expansion of the footprint of the site or additional buildings are likely to require planning consent, and therefore the application would be determined on its own merits at that time.

CoONCLUSION

The application site consists of the A G Pearce Ltd vegetable processing plant adjacent to the built extent of Wormegay. The application seeks consent for the reuse/ expansion of an existing building and the construction of an additional building with this established existing rural business. The principle of development is acceptable.

The development proposed is within the existing site and is considered to be in accordance with the form and character of this site, and the rural locality. A number of objections have been received from neighbouring residents, and careful consideration has been given to any potential neighbour amenity issues arising as a result of this development. Based on the information received from the applicant, the CSNN officer is satisfied that subject to conditions, the proposed development accords with policy.

Following discussions at Planning Committee the applicant has proposed the construction of an earth bund to the north of the site, within the existing staff car park. This would not in its own right give rise to any detrimental impacts and there are no objections to this proposal.

The Local Highway Authority does not object to the proposed scheme because the development would not generate additional vehicle movements to the site. However, the Local Highway Authority and the Parish Council do raise concerns about existing traffic issues within the locality and would not want to see vehicle movements increase.

Subject to conditions, there are also no objections received from Environmental Quality, the Environment Agency and Norfolk Fire and Rescue.

In summary, the development proposed is considered to be in accordance with the NPPF, Core Strategy policies CS06, CS08, CS10, CS11 and CS12, and Site Allocations and Development Management Policies Plan policies DM15 and DM17. The application is duly recommended for approval.

RECOMMENDATION:

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

- 1 Condition The use hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos:

22 041030 02 EXISTING SITE PLAN received 28 Jul 22
22 041030 05B PROPOSED SITE PLAN received 23 Nov 22
SHEET 3 NEW CHILL STORE received 4 Oct 22
E13686/1 PROPOSED CHILLI STORE EXTENSION- PROPOSED LAYOUT AND SECTION HIGH CARE PHASE received 28 Jul 22
E13686/3 PROPOSED CHILLI STORE EXTENSION- PROPOSED SECTIONS PHASE 1 received 4 OCT 22
SHEET 2 NEW CHILL STORE
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the installation of any external lights, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation / angle of the luminaries, the spacing and height of the lighting columns, the extent / levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 3 Reason In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 4 Condition The building identified as the 'existing cold store' on Drawing no 22 041030 05 B hereby approved shall only be used for the packing of vegetables and for no other purpose without the prior consent of the Local Planning Authority being granted under separate planning permission.
- 4 Reason For the avoidance of doubt and to allow the local planning authority to retain control over the use of the building in the interests of the amenities of neighbouring residents in accordance with the NPPF and Development Plan.
- 5 Condition All external doors to the building identified as 'existing cold store' on Drawing No 22 041030 05B shall remain closed other than when being used for access and egress from the building. No machinery shall be operated within the building unless all external doors are closed.
- 5 Reason In the interests of the amenities of neighbouring residents in accordance with the NPPF and Development Plan.
- 6 Condition The building identified as the 'new cold store' on Drawing no 22 041030 05 B hereby approved shall only be used for the storage of vegetables and for no other

purpose without the prior consent of the Local Planning Authority being granted under separate planning permission.

- 6 Reason For the avoidance of doubt and to allow the local planning authority to retain control over the use of the building in the interests of the amenities of neighbouring residents in accordance with the NPPF and Development Plan.
- 7 Condition No development shall commence on site until full details of the surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 7 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 8 Condition In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.
Following completion of measures in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
- 8 Reason In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.
- 9 Condition The buildings hereby approved shall not be brought into use until a scheme for the provision of a fire hydrant has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 9 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 10 Condition Prior to the first occupation of the 'new cold store' hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the planting scheme for the boundary treatment on the eastern boundary. The boundary treatment shall be completed before the building is occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained in perpetuity. 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.
- 10 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

- 11 **Condition** No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- 11 **Reason** To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 12 **Condition** No development shall take place other than in accordance with the written scheme of investigation approved under condition 11.
- 12 **Reason** To safeguard archaeological interests in accordance with the principles of the NPPF.
- 13 **Condition** The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 11 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 13 **Reason** To safeguard archaeological interests in accordance with the principles of the NPPF.
- 14 **Condition** **Notwithstanding the details shown on the approved plans, prior to the commencement of use of the building identified as the 'new cold store' on Drawing no 22 041030 05 B hereby approved, full details of an earth bund to be located to the north of the 'new cold store' shall be submitted and agreed in writing by the Local Planning Authority. These details shall include the levels and contours to be formed and a landscaping scheme for the earth bund. The landscaping scheme shall include planting plans, schedules of plant species, plant sizes and proposed numbers where appropriate.**
- The earth bund shall be constructed and the landscaping works shall be carried out in accordance with the approved details prior to the commencement of use of the building identified as the 'new cold store' on Drawing no 22 041030 05 B or in accordance with a programme to be agreed in writing by the Local Planning Authority. Any plants/ trees that within a period of 5 years from the completion of the development die, are removed or become seriously 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.
- 14 **Reason** In the interests of the amenities of the locality, and to ensure the work is carried out within a reasonable period in accordance with the NPPF.