

F/YR15/0981/F

**Applicant: Mr J Lawrence
Anglia Growers**

**Agent : Mr Nick Seaton
Anglia Building Consultants**

Land South Of Everglens, Outwell Road, Emneth, Norfolk

Erection of an agricultural building and 2.0 metre high chain link fence

Reason for Committee: The application is for a cross-boundary development

1 EXECUTIVE SUMMARY

- 1.1 This is a cross boundary application for the erection of an agricultural building and 2m high chain link fence. Approximately 10m of the access falls within the jurisdiction of the Borough Council of King's Lynn and West Norfolk (BCKLWN) with the remainder of the site falling within Fenland.
- 1.2 BCKLWN have delegated authority to Fenland to determine the whole application.
- 1.3 The scale, design and siting of the proposal is considered to be acceptable, resulting in no detrimental impact on the visual amenities of the area.
- 1.4 No concerns are raised in respect of the impact on neighbouring residential amenities given that the nearest dwelling, which is outside of the applicant's control, is over 170m away.
- 1.5 Further information with regards to the type and amount of storage is currently being sought in order to satisfy the comments received from Norfolk County Council Highways.
- 1.6 Subject to confirmation of the storage details demonstrating that there will be no additional vehicular movements on site it is recommended that planning permission is granted.

2 SITE DESCRIPTION

The application site is located on the southern side of the A1101 Outwell Road, Emneth approximately 820m south east of the junction with Colletts Bridge Lane. The site is within a countryside location and is currently occupied by agricultural buildings and outdoor storage areas.

The access is currently unmade up to the point of contact with the A1101. The access runs along the western side of Everglens, which is a residential dwelling within the applicant's control, to the greater parcel of land beyond which forms the main part of the application site.

The point of access and part of the verge falls under the jurisdiction of Kings Lynn and West Norfolk Borough Council and the remainder of the site falls within Fenland District Council jurisdiction.

The site is within a countryside location, is positioned along an 'A' classified highway, and lies within flood zone 1 land.

3 PROPOSAL

The application seeks full planning permission for the erection of an agricultural building and 2m high chain link fencing.

The building will have a footprint of 39.15 x 11.6m and will have a maximum height of 6.4m. The building will have a dual pitched roof, finished in grey cladding panels and will have open sides. The building will be positioned to the rear of the site, behind the existing agricultural buildings. The chain link fencing will be sited on the rear boundary of the land.

The building will be used to provide weather protection for the existing implements and machinery stored on site.

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR13/0009/F	Variation of Condition 6 of planning permission F/YR11/0830/F (Erection of an extension and fence enclosed substation to rear of existing agricultural building) to change height of materials to be stacked from the existing ground level from 2.5 metres to 6.0 metres Land South Of Everglens Outwell Road Elm Cambridgeshire	Granted	03/04/2013
F/YR12/3093/CO	Details reserved by Conditions 5 and 11 of Planning Permission F/YR11/0830/F (Erection of an extension and fence enclosed substation to rear of existing agricultural building) Land South Of Everglens Outwell Road Elm Cambridgeshire	Approved	14/12/2012
F/YR11/0830/F	Erection of an extension and fence enclosed substation to rear of existing agricultural building Land South Of Everglens Outwell Road Elm Cambridgeshire	Granted	07/10/2012
F/YR11/0269/AG1	Erection of a potato storage building Everglens Outwell Road Elm Wisbech Cambridgeshire PE14 8	Further Details Not Required	06/05/2011

5 CONSULTATIONS

5.1 Elm Parish Council

Supported

5.2 The Ramblers Association

No comments received

5.3 CCC Countryside Access Team

No comments received

5.4 Environment Agency

The proposed development will be in flood zone 1, therefore no comment.

5.5 Middle Level Commissioners

No comments received

5.6 FDC Housing

No comments received

5.7 Environmental Protection (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development. The proposal is unlikely to have a detrimental effect on local air quality or the noise climate. Given the type of development land contamination is not an issue.

5.8 Kings Lynn and West Norfolk Borough Council

The Borough Council has devolved its decision making authority to Fenland District Council. It was recommended that the comments of the relevant Parish Councils and the Norfolk County Council Highway Authority are forwarded to FDC for consideration in the future decision making process.

5.9 In addition a condition relating to the use of the proposed agricultural building for the storage of on-site equipment should be imposed as stated within the application. Enforcement of condition 07 of planning permission F/YR11/0830/F should be pursued.

5.10 Comments received from the relevant Parish Council are as follows:

- Object due to concerns regarding the increased usage of this junction onto the A1101 (Outwell Road).

5.11 Comments received from Norfolk County Council Highways Authority are as per paragraphs 5.13 to 5.16 below.

5.12 Cambridgeshire County Council Highways Authority

The application site falls within Kings Lynn and West Norfolk's area. Nothing to add in addition to the comments from King's Lynn and West Norfolk.

5.13 Norfolk County Council Highways Authority

If the store is used to house the items currently found on site then no objections in principle.

5.14 Would not be supportive of the principle of the unit being used as general storage, which would be used for plant, crop and machinery storage that is currently stored from off-site, as that would result in an increase in undesirable slowing stopping and turning movements on the A1101 which is a busy and fast section of road and adopted on a Corridor of Movement.

5.15 While visiting the site it was noted that the existing point of access is currently of an unbound surface. It is understood that a former planning permission for this site (F/YR11/0830/F) included condition 07 which required the access point to be laid out and constructed in accordance with the Local Highway Authority specification. This is not found to be the case. The point of access therefore needs to be upgraded to accord with the condition and would suggest that enforcement action may be required if the works are not ultimately completed.

5.16 Request informative relating to there being no works to the Public Right of Way.

5.17 Local Residents/Interested Parties

1 letter of objection received, comments as follows:

- The applicant wants the proposal for storing farm implements and a grader shed;

- The proposal will free up more room for onions and more noise from coolers;
- The existing odour pollution is bad enough now;
- Neighbours eyes sting and they get headaches from the current situation;
- Noise pollution;
- Disturbance from vehicles;
- The previous development was supposed to be for storage however it is operated like a business.

6 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Section 1- Delivering sustainable development, building a strong competitive economy;

Section 3 – Supporting a Prosperous Rural Economy

Section 4 – Promoting Sustainable Transport;

Section 7 – Requiring good design;

Section 10 – Meeting the challenge of climate change, flooding etc;

Section 11 – Conserving and enhancing the natural environment

National Planning Policy Guidance (NPPG)

Fenland Local Plan 2014

LP1 – A presumption in favour of sustainable development;

LP2 – Facilitating health and wellbeing of Fenland residents;

LP3 – Spatial strategy, the Settlement Hierarchy and the Countryside;

LP6 – Employment, tourism, community facilities and retail;

LP15 – Facilitating the creation of a more sustainable transport network in Fenland;

LP16 – Delivering and protecting high quality environments across the District.

7 KEY ISSUES

- **Principle of Development**
- **Design and layout**
- **Residential amenity**
- **Highway safety**
- **Health and wellbeing**
- **Economic Growth**
- **Other considerations**

8 BACKGROUND

- 8.1 This application is a cross-boundary application between Fenland District Council (FDC) and the Borough Council of Kings Lynn and West Norfolk (BCKLWN). Approximately 10m of the access, from the back edge of the carriageway, falls within the jurisdiction of BCKLWN with the remainder of the land falling within the jurisdiction of FDC.
- 8.2 On the 11th January 2016 the BCKLWN Planning Committee resolved to devolve its decision making powers to FDC to enable FDC to determine the proposal. This was in accordance with Section 101(1) of the Local Government Act 1972 (as amended). It was recommended that the comments from the relevant Parish Council and Local Highway Authority are forwarded to FDC for consideration. The comments in question have already been reported in paragraphs 5.10 and 5.13 to 5.16 of this report.

9 ASSESSMENT

9.1 Principle of Development

The site is located within a countryside location and constitutes agricultural development. Policy LP3 of the Fenland Local Plan 2014 allows for development that is demonstrably essential to the effective operation of local agriculture. The building is required to provide under cover storage for general farming implements and equipment. Due to the current lack of on-site storage, implements and equipment are currently either stored outside on-site or stored off site under cover and then transported to the site when required. Given the agricultural need, it is considered that the principle of development accords with Policy LP3

9.2 Design and layout

9.1 The appearance of the building is what would typically be expected for a structure of this nature, matching the existing buildings on site and being of a commensurate scale. The building will be positioned to the rear of the site in close proximity to existing buildings. Whilst the building will be visible from long lengths along the A1101 due to the flat nature of the landscape, it will not appear harmful due to its clustered position with other buildings. The fencing will have a negligible impact on the character and appearance of the area.

9.2 The proposal will not affect the layout of the site as it essentially constitutes a cover for an existing storage area.

9.3 In view of the above it is considered that the application complies with policy LP16 of the Fenland Local Plan 2014.

9.4 Residential amenity

9.5 The building will be positioned approximately 170m away from the nearest dwelling which is outside of the applicant's control. With this in mind it is considered that there will be no harmful overshadowing or overbearing impact on neighbouring residents. The proposal will merely act as a weather shelter and will enable more undercover storage on site. Therefore no concerns are raised in respect of amenity issues arising from the storage of more machinery or plant produce. While the neighbour's concerns in respect of the odour and noise arising from produce storage, the current proposal is for an implement store.

9.6 In view of the above it is considered that the application complies with policies LP2 and LP16 of the Fenland Local Plan in terms of residential amenity.

9.7 Highway safety

9.8 The site will be accessed on land within Norfolk and as such comments have been sought from Norfolk County Council (NCC) Highways. NCC Highways have raised no objection to the proposal on the provision that there is no additional storage on site (other than what is currently being stored) as this would result in disruptions to the free flow of traffic along the A1101. As regards the issue of the failure to comply with condition 07 of F/YR11/0830/F which required the access point to be surfaced, the agent has agreed to a condition requiring this to be carried out before the start of any work on the building the subject of the current application.

9.9 Due to the current lack of on-site storage, implements and equipment are currently either stored outside on-site or stored off site under cover and then transported to the site when required. The agent considers that the proposal will

reduce traffic movements as it will be possible to store all required equipment on site. The additional information has been provided to Norfolk County Council (NCC) Highways and an update will be provided at Committee.

9.10 Health and wellbeing

9.11 It is considered that the proposal will have an acceptable impact on neighbouring residential amenities thereby complying with health and wellbeing principles in accordance with policy LP2 of the Fenland Local Plan 2014.

9.12 Economic Growth

9.13 The proposal will add to an existing business and employment site thereby promoting economic growth in accordance with policy LP6 of the Fenland Local Plan 2014.

9.14 Other Considerations

9.15 The comments received from the relevant Parish Council in Norfolk have been noted. They relate to highway issues which have been discussed in paragraphs 9.7 to 9.9 above.

10 CONCLUSIONS

10.1 The proposal has been considered within the context of policies of the Development Plan and is considered to be an acceptable form of development which will enhance an existing business. Subject to confirmation that there will be no additional storage on site and an appropriate condition to secure this, it is recommended that planning permission is granted.

11 RECOMMENDATION

F/YR15/0981/F – Grant subject to confirmation that Norfolk County Council Highways are satisfied with the additional information provided regarding the use of the building and the following conditions:

1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason

To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall start until the vehicular access where it crosses the public highway has been laid out and constructed in accordance with the Local Highway Authority construction specification, and thereafter retained in perpetuity.

Reason - In the interests of highway safety and to ensure satisfactory access into the site.

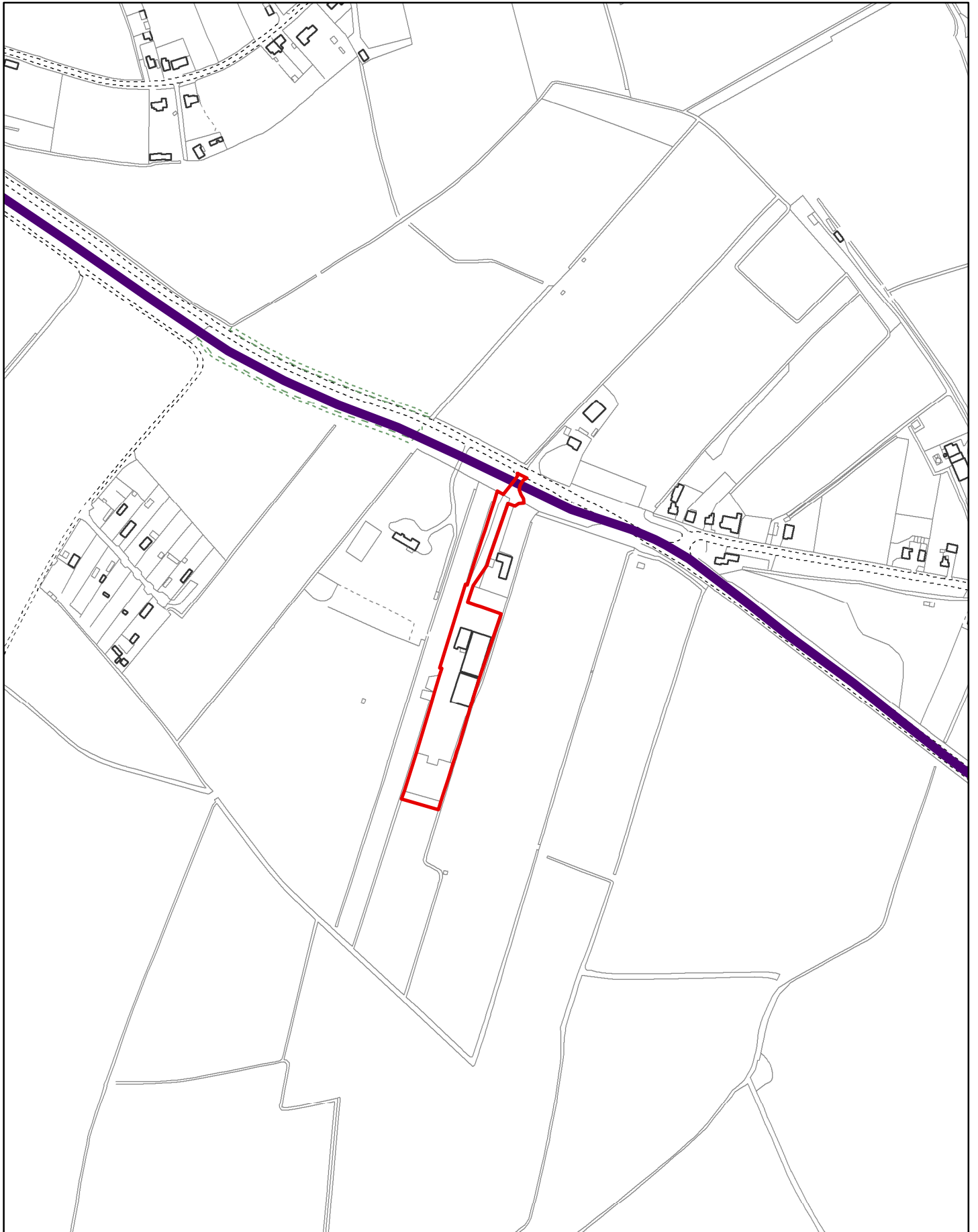
3. The building hereby permitted only shall be used for the storage of implements and equipment required for the agricultural produce stored on the site and for no other purpose (including any other purpose in Class B8; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason - In granting this permission the Council has had regard to the need for storage in connection with the existing use of the site and considers that

unrestricted use within Class B8; would be unacceptable in view of the likely increased slowing, stopping and turning movements on the A1101.

4. The development shall be carried out in accordance with the approved plans.

<p>Case Officer</p> <p>Date:</p>	<p>Team Leader</p> <p><i>Molla McNamee</i></p> <p>Date: 17/02/2016</p>
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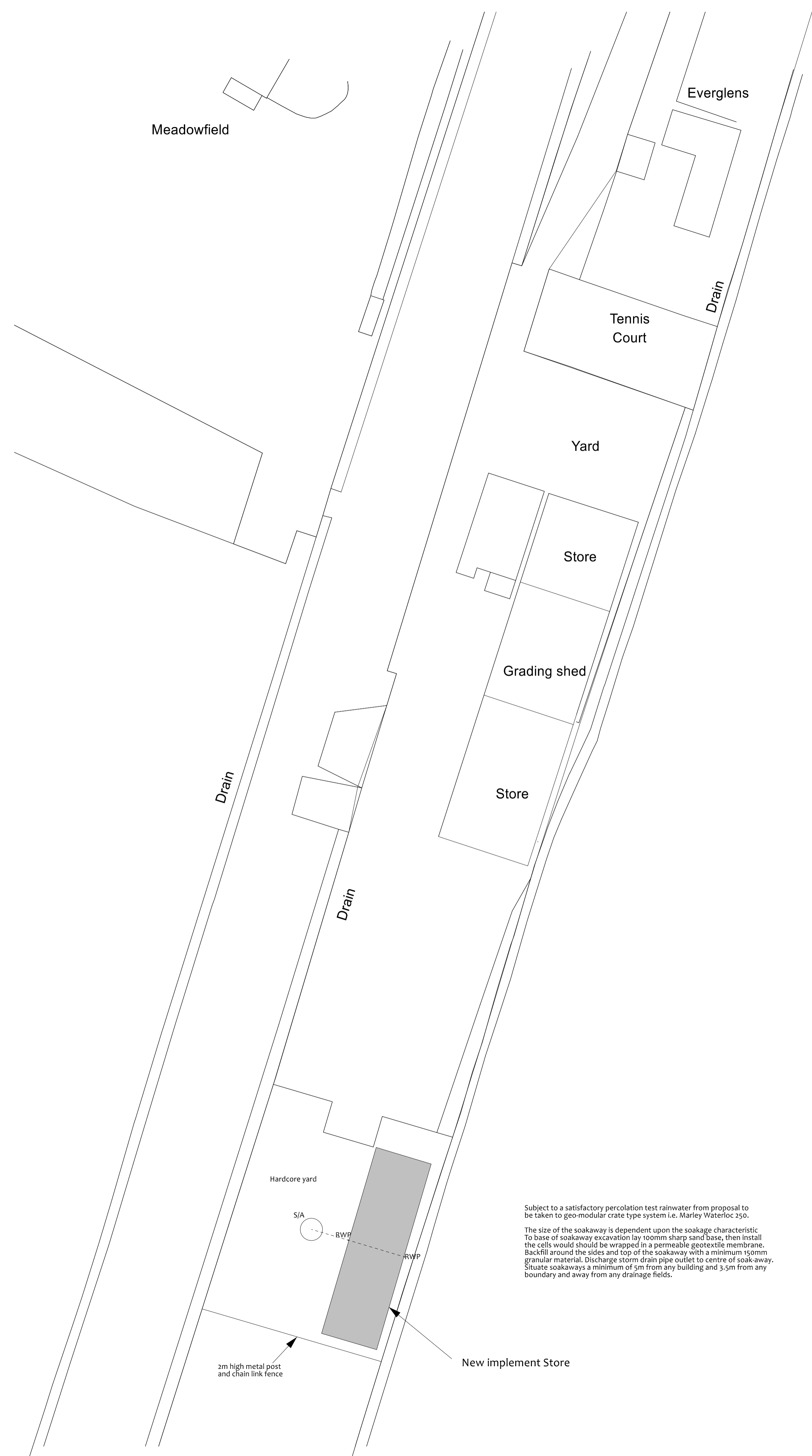
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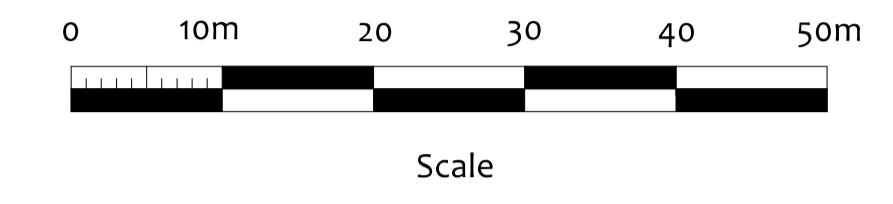
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No	Date	Revision
		Issue: For Planning Approval

Site: Everglens, Outwell Road,
 Elm, Cambridgeshire, PE14 8BG

Project: Implement Store

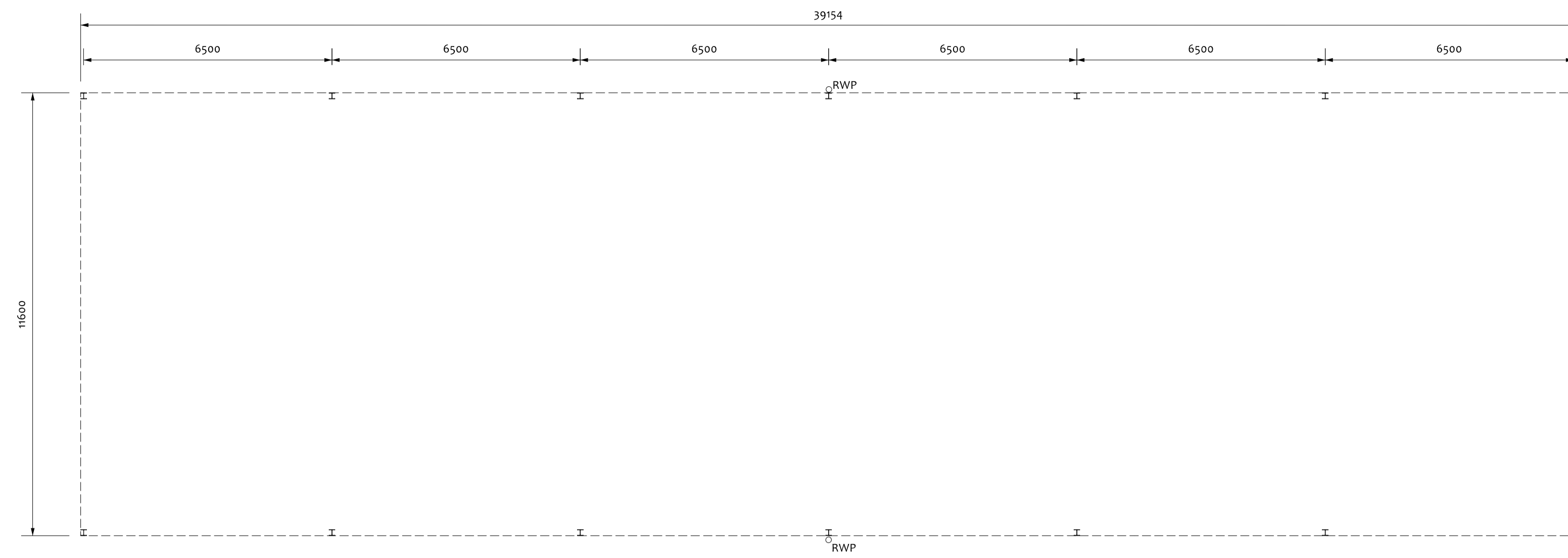
Drawing Title: Proposed Site Plan

Client: Anglia Growers

Date: October 2015
 Scale: 1:500 At: A1
 Drawing Number: 15-1424-3

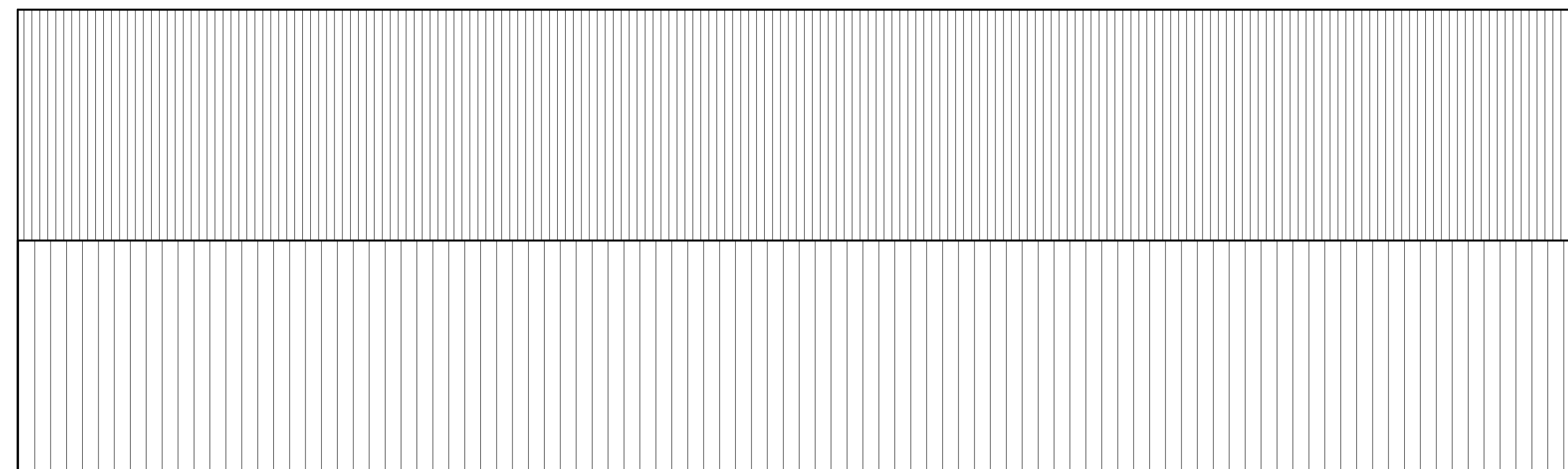


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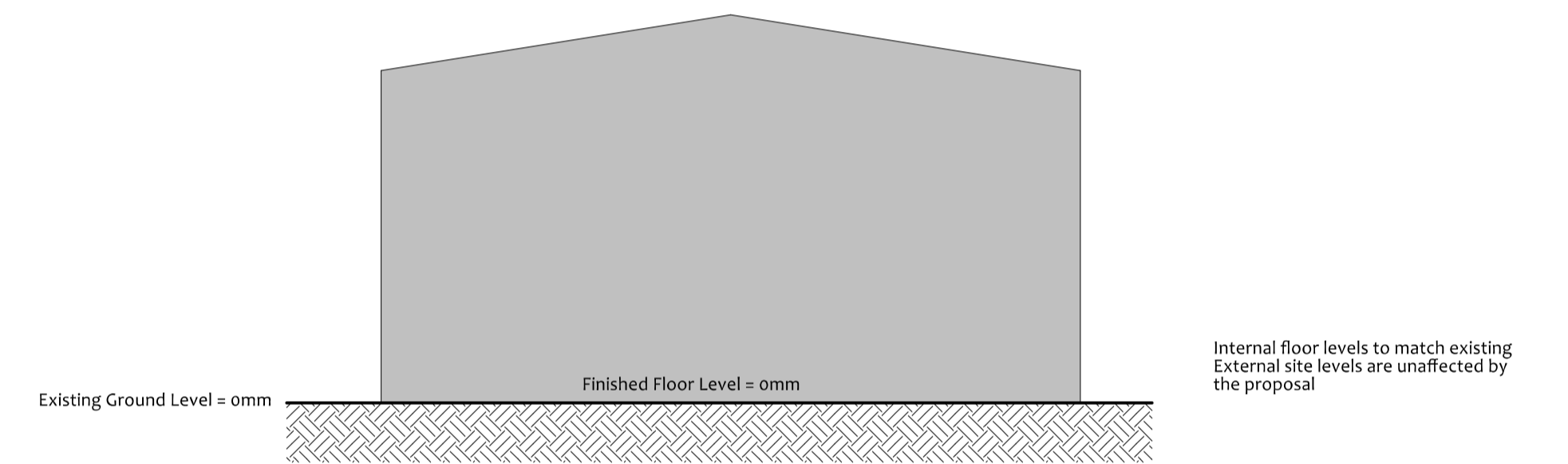


Floor Plan

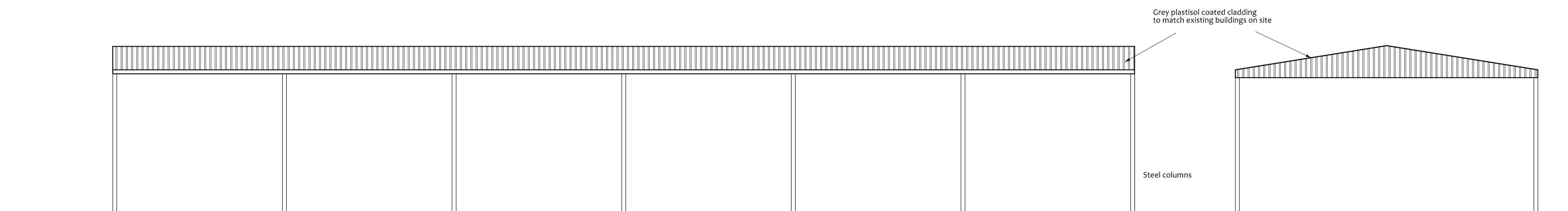
0 1m 2m 3m 4m 5m
Scale



Roof Plan



Site Section



Front/Rear Elevation

Side Elevations



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No Date Revision
Issue: For Planning Approval

Site: Everglens, Outwell Road,
Elm, Cambridgeshire, PE14 8BG

Project: Implement Store

Drawing Title: Proposed floor plan, elevations,
roof plan and site section

Client: Anglia Growers

Date: October 2015
Scale: 1:100 At: A1
Drawing Number: 15-1424-4