
F/YR23/0208/F

**Applicant: Mr T Knowles
T Knowles (Farms) Ltd**

**Agent : Mr Jordan Trundle
Peter Humphrey Associates Ltd**

T Knowles (Farms) Ltd At Knowles Transport Limited, Manea Road, Wimblington, Cambridgeshire

Erect an extension to existing agricultural grain store, 2.5 metre high palisade and security mesh fencing, installation of a weighbridge and associated hut, and widen existing access (retrospective)

Officer recommendation: GRANT

Reason for Committee: Parish Council comments contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks to regularise development that has taken place on site. The extension was not built out in accordance with the plans that were allowed at appeal. The overall footprint remains the same as that allowed, however, this is difference to the design of the roof and therefore the overall height.
- 1.2 Further to this, the application seeks permission to amend an existing access from Manea Road to align with the covered route through the building, as has been constructed.
- 1.3 The main issues with regard to the formal determination of this application relate to the visual impact of the changes; the impact upon the heritage assets; highway safety implications and issues relating to drainage.
- 1.4 In summary, and given the Inspectors decision which is given material weight, along with consultee comments, the development as built out has a negligible adverse impact upon visual amenity; impact upon the heritage asset and residential amenity, therefore there development is considered to be in compliance with policies LP2, LP16 and LP18 of the Fenland Local Plan (2014).
- 1.5 One detailed matter to be resolved related to surface water and drainage. Further to original objections from the LLFA and through submission of an updated Flood Risk Assessment and Drainage Strategy in August 2024, the LLFA raise no objections subject to the imposition of conditions.
- 1.6 During the course of the application, an amended plan was received detailing a revised access. However, in order for this to be achievable, a TRO application was submitted to Cambridgeshire County Council. The LHA has resolved to grant the TRO meaning it is permissable to move the current speed limit sign east of the bend in Manea Road. This would therefore allow for the alterations to the access to take place to the satisfaction of the Highways Authority and can be secured by

condition.

- 1.7 Given that the two main issues relating to flooding/drainage and highway safety have been addressed, the application is therefore recommended for approval subject to conditions.

2 SITE DESCRIPTION

- 2.1 The site lies to the east of Wimblington but is divorced from the settlement by the A141 carriageway which runs alongside the western boundary of the site. The site is considered to be in the open countryside.
- 2.2 The total site area equates to 1.86Ha and is bounded along the western and northern boundaries and partial eastern boundary. The site is relatively flat throughout and is enclosed by a palisade fence which runs partially along the site frontage of Manea Road. The site lies in Flood Zone 1 therefore at lowest probability of flooding.
- 2.3 To the west of the site is a two storey, detached dwelling with detached double garage and outbuilding to the rear. Whilst beyond the site to the east are two properties, one accessed from Frogs Abbey Lane which runs north to south along the eastern boundary of the site and provides access for a further dwelling to the north of the site and one on the corner of the Lane and Manea Road.
- 2.4 The site is accessed via the B1093 'Manea Road' which runs east to west along the south of the site. The junction of the B1093 and the A141 is immediately south west of the site and approximately 90m from the existing site access.
- 2.5 Directly opposite the site is an established potato store with the site prominently located and visible when travelling along the A141 mostly in a northerly direction and when travelling either way along the B1093.
- 2.6 On the opposite side of the A141 to the west lies the grade II listed Parish Church of St Peter. The setting of the church is derived from its positioning within the village and how it relates to buildings and roads around it as well as the views out from the church, the views of the church and natural qualities of its immediate environment.

3 PROPOSAL

- 3.1 The site secured permission at appeal in 2018 for the 'Erection of a grain store with canopy and 2.5-metre-high palisade and security mesh fencing involving demolition of existing storage building.'
- 3.2 Following the grant of planning permission, an alternative version of the approved scheme was built. The applicant sought to rectify this through the submission of a S73 application to vary the approved plans to regularise the 'as built scheme'. This application was subsequently withdrawn by the applicant as the LPA considered that the extent of the alterations carried out were beyond that which could be addressed under the S73.

- 3.3 The purpose of this current application therefore is to seek permission to regularise the changes between that allowed at appeal and that built out on site in April 2020. The proposal site is located on Manea Road approximately 85m from the junction with the A141, Isle of Ely Way. The application seeks to amend the existing access point to align with the covered route through the building, as has been constructed.
- 3.4 The extension was not built out in accordance with the plans that were allowed at appeal. Whilst the overall footprint remains the same as that allowed, there has been a change to the roof design which has therefore meant an increase in ridge height of 1.9m from that allowed at appeal. Further to this, the application seeks permission to amend an existing access from Manea Road to align with the covered route through the building, as has been constructed.
- 3.5 The application has been supplemented with the following documents:

Health Impact Assessment
Heritage Impact Assessment
Transport
Drainage Strategy
Design and Access Statement
Supporting Statement
Environmental Desktop Study
Environmental Assessment Report
Archaeological Evaluation Report

Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=RQ6HNTHE06P00>

4 SITE PLANNING HISTORY

Change of use from agricultural store to depot for storage and distribution of agricultural fertilizers and chemicals Manea Road Wimblington Ref. F/1064/87/F - Application Permitted

Erection of extension to existing grain storage building involving demolition of existing building Ref. F/YR08/0056/F - Refused

Erection of extension to existing grain storage building involving demolition of existing building and change of use of land to create an extension to existing yard Ref. No: F/YR08/0399/F | Status: Granted

Erection of extension to existing grain store and formation of a balancing reservoir Ref. No: F/YR10/0923/F | Status: Application Withdrawn

Erection of extension to existing grain store and formation of a balancing reservoir Ref. No: F/YR11/0805/F | Status: Granted

Re-location of entrance access and erection of 2.4 metre high security fencing, sliding gate and posts on existing site Ref. No: F/YR13/0796/F | Status: Application Withdrawn

Erection of a 10.0m high grain store, 2.5 metre high palisade and security mesh fencing and alterations to existing vehicular access involving demolition of storage building, dwelling and outbuildings Ref. No: F/YR15/0923/F | Status: Refused

Erection of a grain store with canopy and 2.5 metre high palisade and security mesh fencing involving demolition of existing storage building Ref. No: F/YR17/0342/F | Status: Refused. This decision was subsequently taken to appeal where the Inspector allowed the application.

5 CONSULTATIONS

5.1 Middle Level Commissioners (8/9/23)

Please be advised that neither the Middle Level Commissioners nor our associated Boards are, in respect of planning applications, statutory consultees and, therefore, do not actually have to provide a response to the planning authority and receive no external funding to do so. Except for the simplest matters, the Commissioners are instructed to advise that the Boards no longer provide bespoke responses to planning applications unless the Commissioners are asked to do so or they are the subject of the detailed pre/post-application consultation process. However, the Board has considered it appropriate for the Commissioners to respond on this occasion. The area to the east of the above development is known to have suffered from flooding in recent months, and the March East IDB has been contacted by affected residents. This message is to advise that a more detailed reply will be forwarded to you shortly with greater detail of the Board's concerns regarding this development.

5.2 County Highways

Detailed comments can be seen in full online, however, in the interests of brevity, the Local Highway Authority objected to the original submission. The access has been constructed in a way that it does not align with the access which results in a skewed access hampering visibility and manoeuvrability creating severe highway safety implications.

Revised access proposals were shown on an amended plan submitted which were not objectionable, however, implementation of the changes is reliant upon the relocation of an existing speed limit sign, for which a TRO was required to be submitted.

Following submission of a TRO, and having followed due protocol and procedures, objections were received which resulted in the TRO application taken to the Highways and Transport Committee.

(24/10/24 comments in full)

Following a statutory process, the County Council in its capacity as the Local Highway Authority have resolved to grant the Order. A copy of the decision notice will be shared with the LPA in due course.

On this basis, the site access as shown on the drawing 23005-13 A is acceptable and I therefore have no objection to the proposals. However, it should be noted that as part of any detailed design post planning, a Stage 2 Road Safety Audit will

be required for the works and the design will need to regularise road signs and markings on approach from the east. In particular, it was noted that the new 50mph sign will be in close proximity to an advisory 30mph limit on approach to the bend in Manea Road. This is likely to cause driver confusion so the advisory speed limit sign will need to be removed from its current location and mitigation measures included to ensure high levels of conspicuity of the bend for vehicles approaching from the east e.g., yellow backed chevron signs or other appropriate warning signs / lines compliant with DfT guidance.

In the event that the LPA is minded to grant consent, I recommend that the following conditions and informatives be included.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking, amending or re-enacting that order) no gates or other means of enclosure shall be erected across the vehicular access hereby approved.

Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity

Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014

Prior to commencement of use, the vehicular access from the existing carriageway edge shall be laid out with provision of a metalled/sealed surface for a minimum length of 20m from the existing carriageway edge.

Reason: In the interests of highway safety.

Works in the Public Highway

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

5.3 CCC Lead Local Flood Authority (6/4/23)

Detailed comments can be seen in full online, however, in the interests of brevity, the LLFA objected to the original submission on the grounds of surface water drainage issues; wider drainage issues; downstream ditch network issues and inaccurate hydraulic calculations.

Further information and calculations were submitted for which the LLFA maintained their objections. An updated Flood Risk Assessment and Drainage Strategy were received mid August 2024 which resulted in the following consultation response:

LLFA (28/8/24)

Thank you for your re-consultation which we received on 14th August 2024. We have reviewed the following documents:

Flood Risk Assessment and Drainage Strategy, G.H. Bullard & Associates LLP, Ref: 198/2022/FRADS Rev P4, Dated: August 2024

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.

The above documents demonstrate that surface water from the site can be managed through the use of an attenuation basin at the front of the site and tanked storage at the rear to replace the filled in attenuation basin. Water will continue to discharge at the same rate as the previous design was set to, to ensure that there is no increase in the peak volumes of water in the receiving surface water network. Additional treatment is proposed through the use of smart sponges and an oil plate to filter out any further pollutants. We request the following conditions are imposed:

Condition

The surface water drainage scheme shall be constructed and maintained in full accordance with the Flood Risk Assessment and Drainage Strategy as submitted by G.H. Bullard & Associates LLP (ref: 198/2022/FRADS Rev P4) dated August 2024.

Reason

To prevent an increased risk of flooding and protect water quality

Condition

Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the effective operation of the surface water drainage scheme following construction of the development.

Informatives

OW Consent

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the

Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance:

<https://www.cambridgeshire.gov.uk/asset-library/Cambridgeshires-Culvert-Policy.pdf>

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

IDB Consent

Part or all of your proposed development area falls within the Middle Level Commissioners (MLC) catchment and/or that of March East IDB whose consents are managed by the MLC. All increased discharges proposed to enter watercourses directly or indirectly or any works affecting watercourses or access to or along them for maintenance if the site is within the Board's district will require MLC/IDB consent. It is therefore recommended that you contact the IDB/MLC to discuss their requirements. Further information is available at:

<https://middlelevel.gov.uk/>

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

Construction Surface Water Maintenance

Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

5.4 FDC Environmental Health (26/6/23)

The Environmental Health Team note the submitted information and have also undertaken a review of previous correspondence associated with the similar scheme proposed under F/YR17/0342/F, which was allowed on appeal.

In 2017 this service questioned whether there would be any inclusion of noise generating plant on the basis that the application, as with F/YR23/0208/F, stated the proposed development to be a grain store rather than grain drier. It was subsequently confirmed by the applicant that no noise generating plant would be included and that the proposed scheme would essentially be an extension to what exists on site. Based on the aforementioned and also recent evidence acquired from site, I believe that the absence of any noise generating plant negates the requirement for the applicant to submit noise impact assessment specific to that issue.

Notwithstanding the above, and whilst there no registered complaint(s) relating to operations on the site (a standpoint also expressed by this service in 2017 and with only two unsubstantiated complaints during the development stage in May 2021) the site expansion is likely to result in an increase in vehicle movements which have the potential to adversely affect the amenity of nearby residential properties. Therefore, before this service can consider supporting the application, a noise impact assessment must be undertaken by suitably qualified acoustic consultant, having regard to the appropriate recognised standards, in this case BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound', with the associated report then submitted to the Local Planning Authority.

Environmental Health (18/2/24)

Further to our recent discussion and previous correspondence from this service, having observed the Transport Statement (Ref: apk/23005/v1) provided by Northern Transport Planning Ltd, I can confirm that the relevant parts provide clarification to allay previous concerns raised by this service and therefore eliminate the requirement for noise impact assessment.

5.5 Wimblington Parish Council (12/4/23)

Further to last night's Parish Council meeting, Councillors wish to object to 'Consultation F/YR23/0208/F at Knowles Transport Limited' as follows:

Highways issues:

The access to the site is skewed and entrance/exiting the site is going to be hazardous, there are no drawings or referencing to 'turning left into the access or turning right out of the access' in order to take the main transport route on the A141. HGV's turning into Manea Road from the A141 traffic lights will have to slow down considerably before turning left manoeuvring into the skewed access. Similarly HGV's exiting the site and turning right to the A141 will be travelling across the Manea Road into a 50mph traffic lane meters from a tight bend.

HGV movement from this site and other HGV businesses along the Manea Road has increased over the past 5 years causing a much busier flow of vehicles along the area Road to the A141.

There are no footpaths along the Manea Road where Workhouse Lane (part of the Woodman's Way touristic walk) exits on to the road, this raises safety issues for pedestrians and other users ie. horse riders. - This application has been stated as unacceptable by the Local Highway Authority in view of the safety of pedestrians and vehicles using the Manea Road.

The large, extended roof area of the sheds on the site will produce copious amounts of runoff from rain water, the disbursement of this volume of water is questionable. There are no visible ditches/dykes surrounding the site, these appear to have possibly been piped and filled in therefore runoff surface water has nowhere to go.

The attenuation/balance pond is no longer part of the site development so pollutants getting into the surface water is also another concern. The Environmental Assessment was carried out in 2011 and since then there have been major changes on the site mainly the crushing and laying of waste concrete. Wimblington has been experiencing exceptional flooding over the past three years. The Lead Local Flood Authority also object to this application.

If a weigh-bridge is installed, the turning circumference for HGV's within the site will be small, can vehicles enter and leave in forward gear, if not, this will cause a noise issue for local residents. If there are to be 20 car parking spaces then this will also be additional vehicle movement from the site, what are the agreed working hours? (Drawing 5027-PL02F) The height of the roof was raised by 1.9 meters without planning authority, this is not a minor material change.

Wimblington Parish Council (23/6/23)

A presentation was made to Wimblington Parish Council at its meeting on 13 June regarding planning application F/YR23/0208/F Knowles Transport.

The presentation and questions answered by representatives from P Humphrey & Associates cleared Councillors concerns about flooding and the footpath.

However, there are still issues to be resolved involving Highway issues. We note there is to be some re-consultation and would hope that FDC would ask for our further comment on highway matters at that stage. Given the input from Knowles Transport and that they have addressed our concerns, notwithstanding the still to be solved highways issues, Wimblington Parish Council would like to withdraw their objections to the above application.

Wimblington Parish Council (10/4/24)

At last night's Parish Council meeting, Councillors reiterated their multiple concerns about this application. There are concerns about flooding, access and highway issues, none of which appear to have been resolved and therefore Parish Council still objects to this application

5.6 Designing Out Crime Officer

Thank you for the opportunity to comment on this planning application, we have no comment or objections at this time

5.7 FDC Conservation

No additional heritage impacts. Recommendation: no objection

5.8 Local Residents/Interested Parties

There have been 17 objections to the development, several from the same neighbour but all from within the locality. Full detailed comments can be seen on the public website. In the interest of brevity, however, the points raised summarised as below:

- Questions surrounding the legality and validity of the submission given the breach of planning law
- The suspension of enforcement actions because the site is in full operational use
- Question surrounding the actual use which was allowed at appeal for a grain store, however, seems to be for transport and storage?
- Seems to be 24/7 use
- What if the site is indemnified?
- Significant highway safety issues

- Since the development has taken place, there has been an increase in flooding within local buildings including the church
- Attenuation pond is proposed at the front of the site. What safety measures would be put in place to safeguard wildlife/people falling in?
- Inaccuracies with the submission
- One letter agreeing with all other objections submitted

6 STATUTORY DUTY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).
- 6.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting.

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Fenland Local Plan 2014

LP1: Presumption in favour of sustainable development

LP2: Health and Wellbeing

LP3: Spatial Strategy and Settlement Hierarchy

LP6: Employment

LP14: Climate Change and Flood Risk

LP15: Sustainable Transport networks

LP16: High Quality Environments

LP17: Community Safety

LP18: Historic Environment

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP3: Spatial Strategy for Employment Development

LP4: Securing Fenland's Future

LP5: Health and Wellbeing

- LP7: Design
- LP8: Amenity Provision
- LP18: Development in the Countryside
- LP19: Strategic Infrastructure
- LP20: Accessibility and Transport
- LP23: Historic Environment
- LP24: Natural Environment
- LP27: Trees and Planting
- LP28: Landscape
- LP32: Flood and Water Management
- LP33: Development on Land Affected by Contamination
- LP34: Air Quality

Delivering and Protecting High Quality Environments in Fenland SPD 2014

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- **Principle of Development**
- **Visual amenity**
- **Impact on Heritage Assets**
- **Highway safety**
- **Flooding/Drainage**

9 BACKGROUND

- 9.1 The site has a detailed planning history with the site developing since the late 1980's to accommodate agricultural practices which has grown over the years, culminating in larger scale storage of agricultural produce.
- 9.2 In 2011, an application was approved for an extension to the grain store on the site, together with an access and formation of a balancing reservoir. At the time of the Council's consideration of this application, the Highway Authority objected to the proposals due to the lack of the required visibility at the access. However, the application was granted, with Members considering that the economic benefits of the proposal outweighed the issues surrounding highway safety.
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- 9.3 Several subsequent applications have been withdrawn or refused. The latter and most relevant was a refusal of application F/YR17/0342/F. This was refused at committee for three reasons: Highway safety implications; adverse impact upon the visual amenity and landscape character and impact upon the Heritage Assets. This was taken to an appeal and was subsequently allowed subject to conditions.
- 9.4 The current application seeks to regularise the development given the development built out was not built in accordance with the approved plans at appeal. The changes relate to the design of the roof which led to an increase in overall ridge height. Further to this, the application is seeking permission to align the access with the covered route through the building, as has been constructed.

10 ASSESSMENT

Principle of Development

- 10.1 The principle of development on this site has been established following an appeal that was allowed subsequent to refusal of application F/YR17/0342/F, therefore the principle has been established in this regard. However, the purpose of the current application is to regularise the scheme. The main issues relate to the variations between the approved scheme and that built out and are addressed below.

Visual amenity

- 10.2 Policy LP16 of the FLP aims to deliver high quality environments, seeking to ensure that development makes a positive contribution to the local distinctiveness and character of the area. LP16(d) aims to ensure that development responds to and improves the character of the local built environment and does not adversely impact either in design or scale terms on the street scene, settlement pattern or the landscape character of the area.
- 10.3 In the previous officer's report to committee in July 2017, concerns were raised in respect of the character and appearance of the area. It stated that whilst the proposal was similar in scale and appearance to the existing store on the site at the time, it was effectively to extend the existing stores, thus creating a continuous building along the Manea Road frontage. The height proposed was 10m with the development highly visible from lengths along Manea Road and from the A141. Whilst tree planting was proposed along the southern and western boundaries, it was concluded that *visual harm will have already been caused by the proposal before the landscaping had matured to an extent that the visual impact could be mitigated against.*
- 10.4 The report also acknowledged that large-scale commercial buildings exist in the immediate vicinity with Lavenham Fen Farms directly south which comprises three separate large warehouse-type structures as well as the existing storage building on the application site, however, the key characteristic of these structures was that they are set back from the highway by at least 45m with the building proposed under the previous application to be within 11m of the highway frontage and approximately 100m of commercial building roof span across the front of the site. It was therefore considered that, despite the tree planting, the development would not reinforce the character of the area and was recommended for refusal on the grounds that it would adversely impact in scale terms on the street scene, settlement pattern and the landscape character of the area.
- 10.5 At appeal, the Inspector concluded that the proposal to erect a further agricultural unit, linked by a canopy to the existing buildings, would extend the built development close to the A141, but only marginally closer than the existing smaller storage building which would be demolished. *Furthermore, the proposed structure would be of a similar size, scale and height to the existing buildings on the site. Moreover, it would be constructed of materials to match those already used on site. Accordingly, its external appearance would reflect its use as a modern agricultural building. As such, it would not be unexpected in this rural location. Further to this, the building would be linked to the existing structure on site by a shallow canopy with open space beneath it which would ensure that the mass of the resultant building would not be dominant or visually incongruous. Furthermore, it would be similar to other large agricultural buildings present in the surrounding area. Moreover, the implementation of a landscaping scheme along the western edge of the appeal site would assist in integrating the building within the surrounding landscape.*

10.6 Turning to this application, and in respect of visual appearance, the development built out is comparable in terms of footprint; layout and materials to that allowed at appeal. However, the differences relate to the construction of a single gable rather than the two gables allowed at appeal. Due to the change in roof design, this has seen an increase in overall ridge height by 1.9m to 12.2m. The appeal allowed for a building and linked canopy which measured 10.3 and 9.1m respectively. Whilst it could be argued that the increase in height is a considerable change, this is read within the context of the site as a whole with a significant site frontage and in relation to the building that was in situ at the time of development. As such, it is not considered that the increase in height is considered to cause significant detriment to the site and wider area to warrant refusal. Further to this, it is contended that the change to the roof design from that allowed at appeal in itself does not cause such significant material harm to visual amenity and that would warrant refusal having regard to the Inspectors comments which are given great weight with a substantial building having been allowed at appeal.

Impact on Heritage Assets

- 10.7 Policy LP16 together with LP18 seeks to protect and enhance the historic environment, heritage assets and their settings. Directly opposite the site, west of the A141, is the grade II listed Parish Church of St Peter. The church sits to the south-eastern corner of the village of Wimblington and to the south side of the village primary school with the A141 running alongside the east side of the graveyard forming a defining physical boundary to this village.
- 10.8 The church is best seen and most appreciated from the south and west in context with the village itself where the building holds prominence and there is openness in the settlement morphology around the church, and strong natural qualities to the environment. Planting along the eastern boundary of the church is in the form of an approx. 10ft high Yew hedge with a mix of evergreen and deciduous trees within its length.
- 10.9 The previously refused scheme assessed the impact upon the setting of the Listed church and it was concluded that the *grain store would have a strong presence within the setting of the church and would unduly encroach upon its setting, particularly impacting on views of the church from the public realm*. It was concluded that the development would not preserve or enhance the setting of the church and therefore formed one of the reasons for refusal. However, the Inspector came to the conclusion that, even though the building would be large and close to the A141, its simple form and the use of materials which are sympathetic to its surroundings, would not be materially harmful to the rural character of the area. They further stated that due to the intervening distance between the buildings, and a condition to be imposed relating to a landscaping scheme, the extension would not be materially harmful to views towards the church and surrounding area. and that it would not be harmful to the character and appearance of the area or the setting of the Parish Church of St Peter a Grade II listed building.
- 10.10 Despite the increase in built form of that built out on site, the Conservation Officer was consulted on this current application and stated that there were no additional heritage impacts and therefore raised no objection. The application therefore is considered to comply with policies LP16(a) and LP18 of the Fenland Local Plan (2014).

Residential amenity

- 10.11 Policy LP16(e) of the Local Plan requires development to not adversely impact on the amenity of neighbouring users through issues such as noise, light pollution, loss of privacy and loss of light.
- 10.12 The application site lies to the north of Manea Road close to the main crossroad junction with the A141. Beyond the site to the west and adjacent to the main road junction, there is one detached dwelling whilst beyond the site to the east lies a detached dwelling, 'Greenacres' at the junction with Frogs Abbey Lane and one to the direct north of 'Greenacres' accessed from Frogs Abbey Lane.
- 10.13 Whilst it is accepted that the gable on the building built out on site sits 1.9m higher than that allowed at appeal, this is due to the design change of the roof from a dual pitched roof with central valley to one pitched roof with a central ridge point. The overall footprint and layout has not deviated from that allowed at appeal with a modest gap retained to its western boundary and that with the detached dwelling. Given this, it is not considered that this change has a material impact on residential amenity or wider visual impact from adjacent properties to the east of the site having regard to the scale of the approved use of the site and the approved development upon it.
- 10.14 Environmental Health were consulted on the application given the proximity to several residential properties. It was confirmed that there was no noise generating plant on site, however, initial questions were raised in respect of vehicle movements which has the potential to affect the amenity of nearby residents. It was requested that a Noise Impact Assessment (NIA) was submitted. In further review of the Transport Statement submitted, this provided clarification to allay previous concerns raised and updated comments were received stating that a NIA would therefore not be required.
- 10.15 Whilst the application form and the supporting statement do not make reference to hours of operation, the appeal decision in respect of application, F/YR17/0342/F, imposes a condition restricting the hours of operation to 07:00-18:00 Monday to Friday only. A similar condition can be imposed should the application be approved.
- 10.16 The development is therefore considered to comply with policies LP2 and LP16 of the Fenland Local Plan (2014).

Highway safety/Access

- 10.17 Paragraph 115 of the NPPF states that *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Local Plan Policy LP15 states that any development that has transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.*
- 10.18 The application site is located on Manea Road approximately 85m from its junction with the A141, Isle of Ely Way. During the course of the application, and following an initial objection from County Highways, a revised access was proposed which was considered acceptable in principle and addressed the original objections to a satisfactory degree. However, as stated, the implementation of the revised highway works would be reliant upon the relocation of an existing speed

limit sign marking the start of the 50mph to the west. The speed limit can only be altered with the granting of a Speed Limit Order. Whilst this is subject to legislation outside of planning control and requires public consultation, the submission and approval of such should be applied for prior to an application being determined as there is otherwise a risk that the access works cannot be implemented. A Grampian condition prevents the start of a development until off-site works have been completed on land not controlled by the applicant. This is not something that can be imposed in this instance as the application is retrospective and to impose such a condition would fail the tests of reasonableness and enforceability.

- 10.19 A Traffic Regulation Order (TRO) was submitted to Cambridgeshire County Council at the end of January 2024 to move the speed limit in accordance with the comments from County Highways. Several objections were received including one from a local Member. A subsequent meeting was held on 24th October 2024 between County Highways, the Chair and Vice-Chair of the Highways and Transport Committee along with the local County Councillor and the County's Traffic Manager where there was a resolution to grant the TRO, meaning it is permissible to move the current speed limit sign to a position east of the bend in Manea Road. Given this, County Highways have removed their objection with the revised access proposed being acceptable subject to conditions.
- 10.20 Subject to the amendments to be carried out to the access as demonstrated on an amended plan, these would comply with LP16 of the Local Plan and paragraph 115 of the NPPF with no severe impact upon highway safety.

Flooding

- 10.21 Policy LP14 aims to ensure that development is compatible with its location taking into account the impacts of climate change and flood risk. The site lies in Flood Zone 1 and therefore at the lowest risk of flooding. The Environment Agency's surface water flood mapping does however indicate patches around the site, particularly around the store, susceptible to high, medium and low level surface water flooding. A significant area of low level surface water flooding is found to the immediate north east of the site.
- 10.22 Cambridgeshire County Council is the Lead Local Flood Authority (LLFA) for the area and is therefore a statutory consultee on matters of SuDS and drainage schemes. Several earlier objections were raised from the LLFA and concerns raised that given that there is a wide range of drainage infrastructure within and surrounding the site, these may have been altered within the site boundary.
- 10.23 In seeking to address the LLFA objections, there has been ongoing correspondence throughout the application process between the agent, their drainage specialists and the LLFA. Further to this, a meeting took place between all parties mid-July 2024 which led to the submission of an updated Flood Risk Assessment and Drainage Strategy (FRADS).
- 10.24 Water will continue to discharge at the same rate as the previous design was set to ensure that there is no increase in the peak volumes of water in the receiving surface water network. Additional treatment is proposed through the use of smart sponges and an oil plate to filter out any further pollutants. This can be conditioned.
- 10.25 Following submission of the updated FRADS, comments from the LLFA at the end of August 2024 concluded that the documents demonstrate that surface water

from the site can be managed through the use of an attenuation basin at the front of the site and tanked storage at the rear to replace the filled in attenuation basin. An updated plan was submitted to reflect this. They withdrew their original objections, and, subject to conditions, are not objecting to the development.

Other considerations

- 10.26 The comments received by the local residents are noted. Officers are satisfied that the submitted drawings and supporting information show enough to enable a robust determination of the application to be made.
- 10.27 Several questions surrounding the legality and validity of the application; concerns raised in respect of the suspension of enforcement actions and the site being indemnified were addressed in a response from the then Head of Planning with full details available to view on the public website.
- 10.28 Consideration has been given to the planning history of the site as per the content of this report.

11 CONCLUSIONS

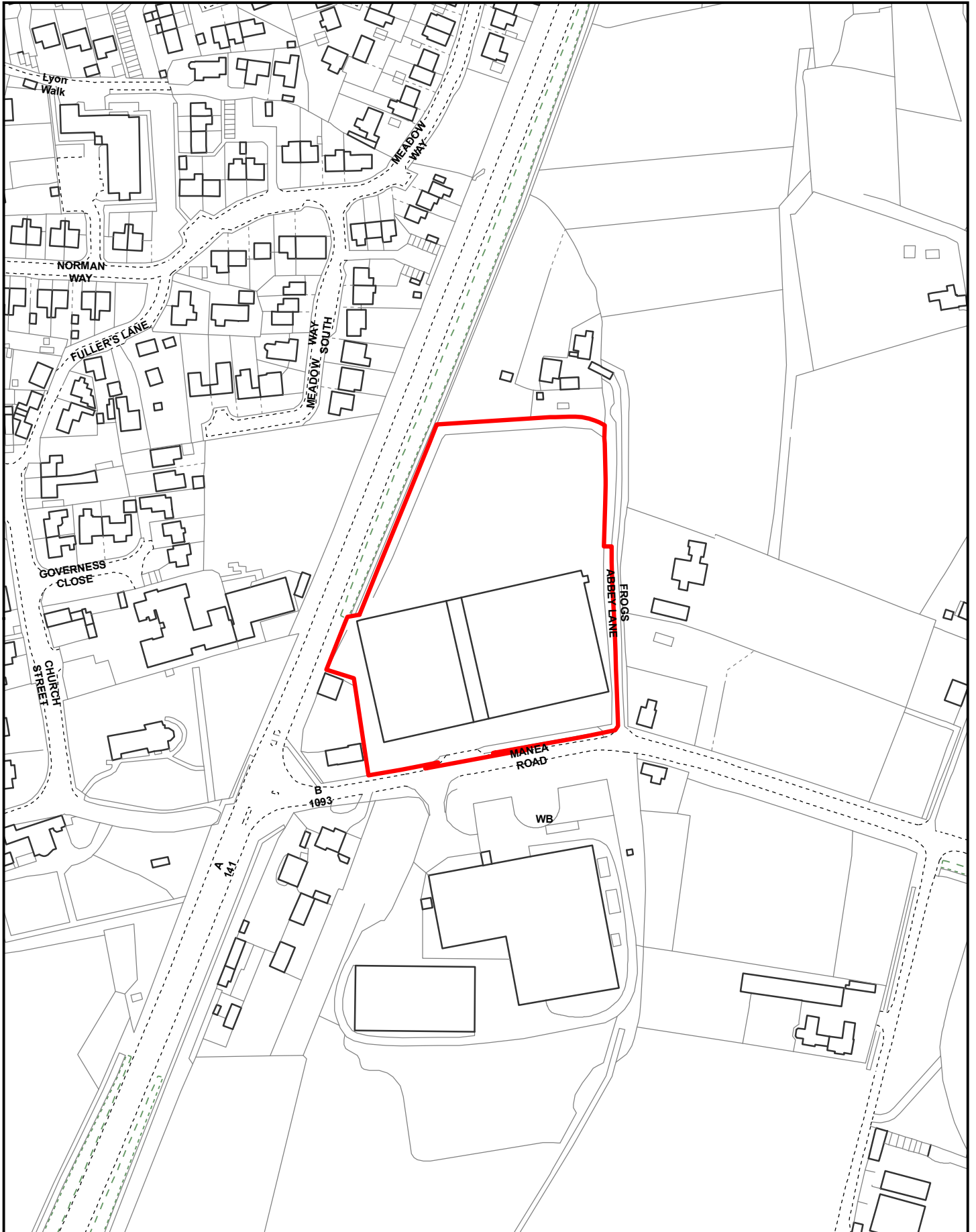
- 11.1 In summary, and given the Inspectors decision in 2018 which is given material weight, along with consultee comments, the development as built out has a negligible effect upon visual amenity; impact upon the heritage assets and residential amenity. Further to this, drainage and highways matters have been addressed throughout the course of this application and would be subject to conditions if Councillors are mindful to go with officer recommendation.

12 RECOMMENDATION:

GRANT; subject to the following conditions:

1.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking, amending or re-enacting that order) no gates or other means of enclosure shall be erected across the vehicular access hereby approved.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
2.	<p>The premises shall be used solely for agricultural crop and equipment storage 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).</p> <p>Reason: In the interests of highway safety and to ensure compliance with policy LP15 of the Fenland Local Plan, adopted May 2014</p>
3.	<p>The premises shall operate between the hours of 0700 to 1800 Monday to Friday only.</p>

	Reason: In the interests of residential amenity and to ensure compliance with policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014
4.	<p>Within three months of the date of this decision, the approved alterations to the access, shown on plan 23005-12 Revision A, and all hardstanding within the site shall be constructed, and with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity</p> <p>Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014</p>
5.	<p>Within three months of the date of this decision, the vehicular access from the existing carriageway edge shall be laid out with provision of a metalled/sealed surface for a minimum length of 20m from the existing carriageway edge.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
6.	<p>Within three months of the date of this decision, the surface water drainage scheme submitted within the Flood Risk Assessment and Drainage Strategy by G.H. Bullard & Associates LLP (ref: 198/2022/FRADS Rev P4) dated August 2024 shall be constructed and maintained in full thereafter.</p> <p>Reason To prevent an increased risk of flooding and protect water quality and in accordance with policy LP14 of the Fenland Local Plan, adopted May 2014.</p>
7.	<p>Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development and in accordance with policy LP14 of the Fenland Local Plan, adopted May 2014.</p>



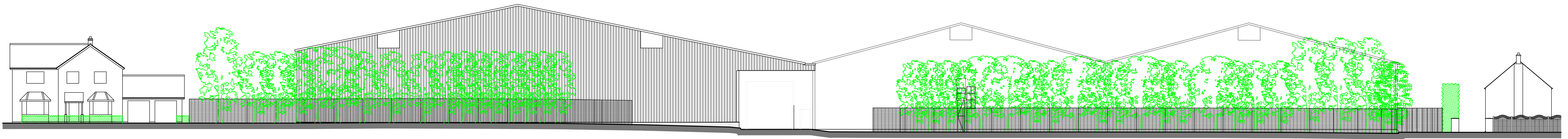
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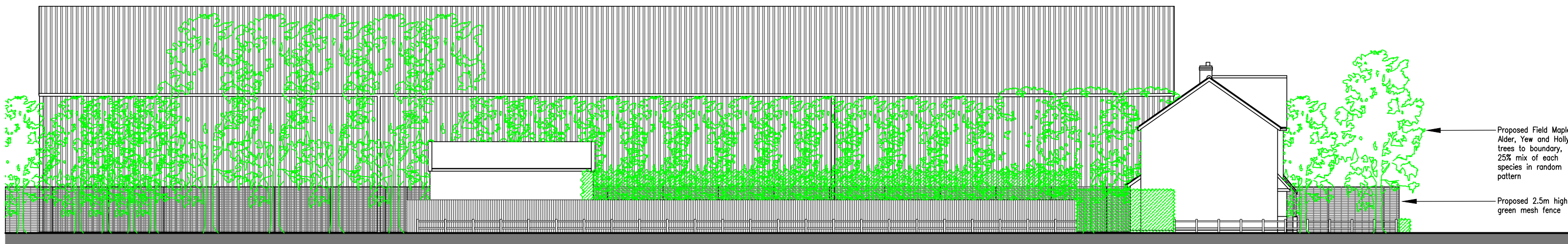
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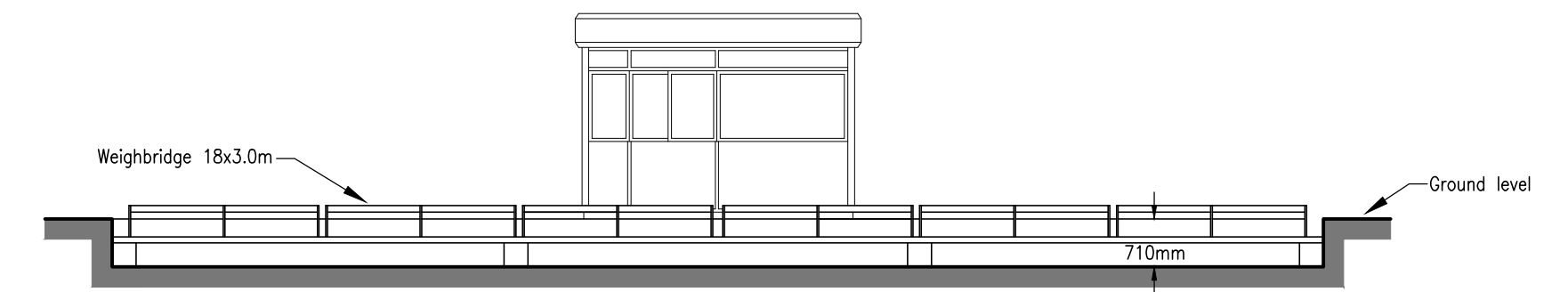




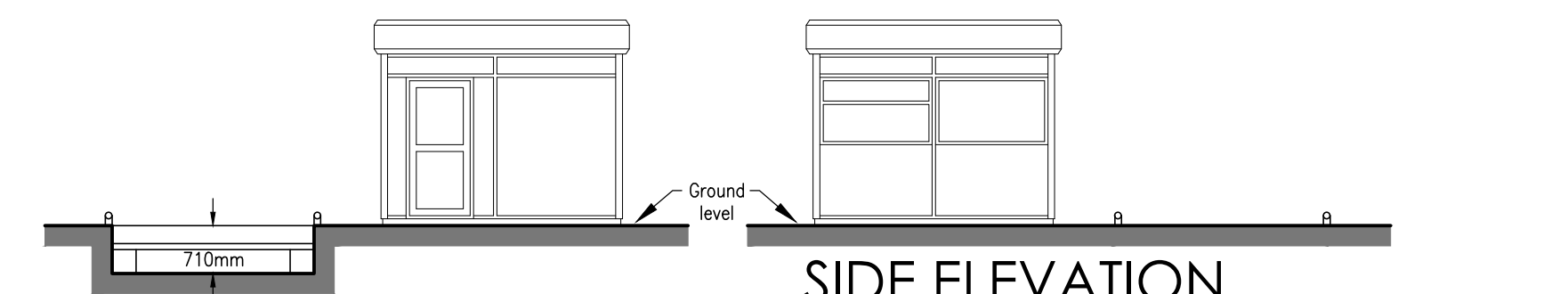
PROPOSED STREET SCENE FROM MANEA ROAD 1:200



PROPOSED STREET SCENE FROM A141 1:200

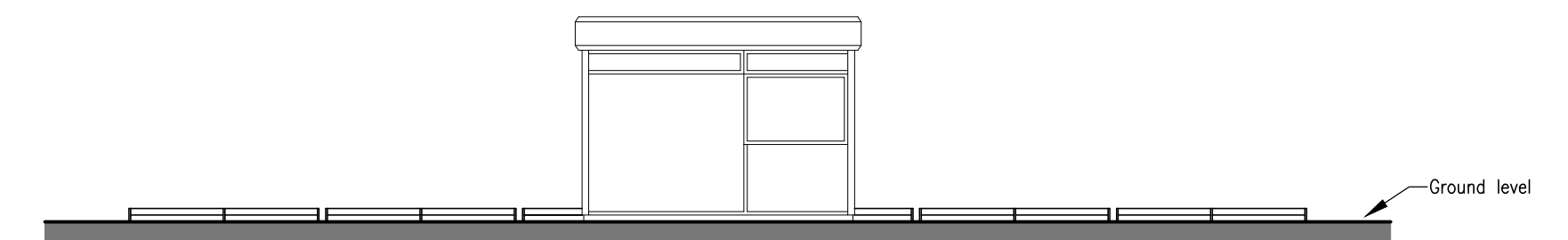


FRONT SECTIONAL ELEVATION

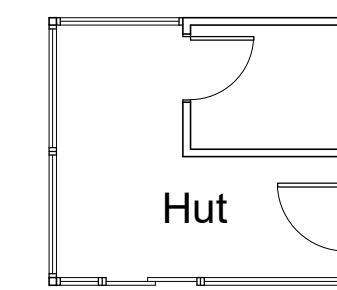


SIDE SECTIONAL ELEVATION

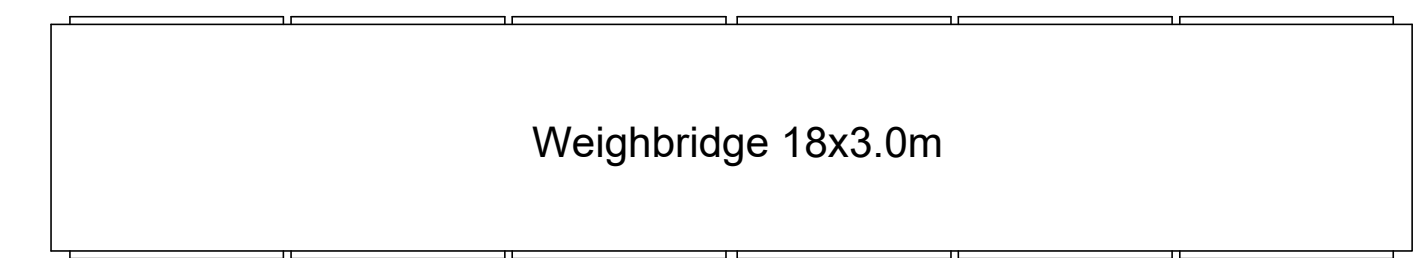
SIDE ELEVATION



REAR ELEVATION



Hut



Weighbridge 18x3.0m

PLAN 1:100



PROPOSED SITE PLAN 1:500

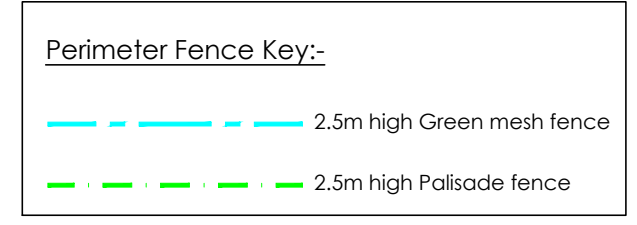
Landscaping Notes:

All trees should be 08-10cm girth Standard* trees either rootballed or container grown and should be single staked with 75mm minimum diameter stake free from bark with one end pointed.

Tree Pits to be 600x600depth of rootball or container (or 150mm wider than the round rootball whichever is greater) do not plant deeper than the soil mark on the stem. Break up pit base to avoid compaction. Drive 1 stake upright/vertical into bottom of excavated planting pit before planting.

Saturate root ball of container grown and rootballed plants before planting. Backfill with excavated material incorporating compost at 1m³ per 3m³ of soil excavated.

Use Super Soft Tree Ties (or similar) to fix tree to stake no spacer required. Water thoroughly immediately after planting and at intervals as necessary until trees are established. Apply 75mm bark mulch to planting surface. Fit spiral tree guard to tree base.



M - 14.09.2024 - Amendments to show Attenuation Basin on plan.
 L - 07.11.2023 - Amendments following Cambs Police comments.
 K - 08.09.2023 - Amendments following further CCC Highway comments.
 J - 16.08.2023 - Amendments following CCC Highway comments.
 H - 09.05.2023 - Amendments following HLF comments.
 G - 05.05.2023 - Amendments following highway comments.
 REVISIONS

JOB NO.	PAPER SIZE	DATE
5027/PL02M	A1	JUNE 2022

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The Construction (Design and Management) Regulations 2015:
 Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as Designer or Principal Designer under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already be apparent to a competent contractor.

CLIENT
T KNOWLES (FARMS) LTD

PROJECT
AGRICULTURAL GRAIN STORE

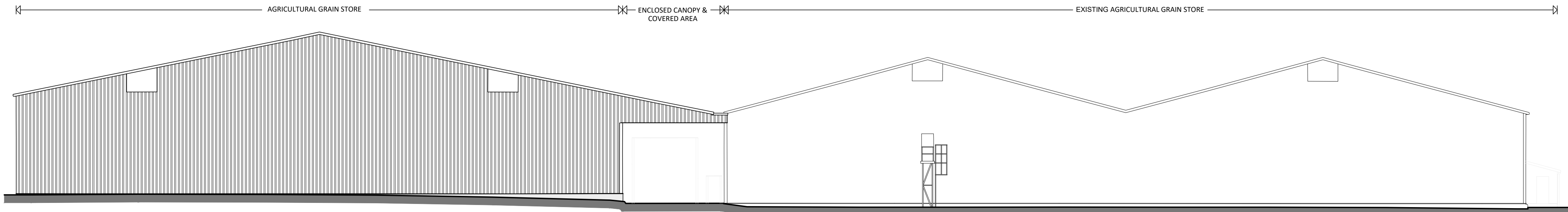
SITE
**T KNOWLES (FARMS) LTD
 MANEA ROAD
 WIMBLINGTON
 MARCH
 PE15 0PA**

DRAWING
PLANNING DRAWING 2

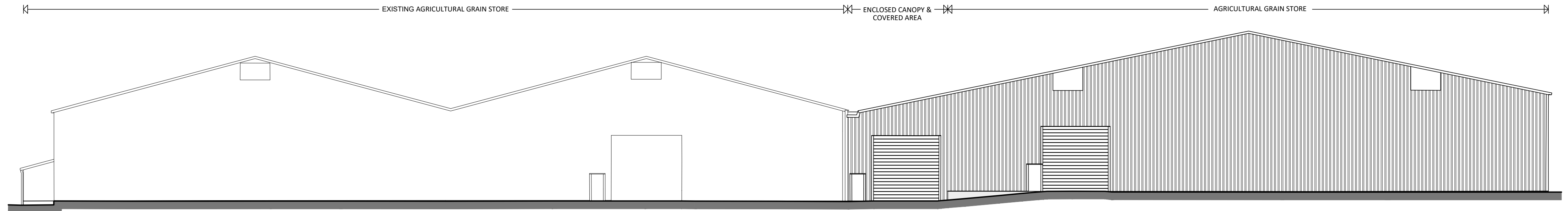
PETER HUMPHREY ASSOCIATES

ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS. PE13 1RG.

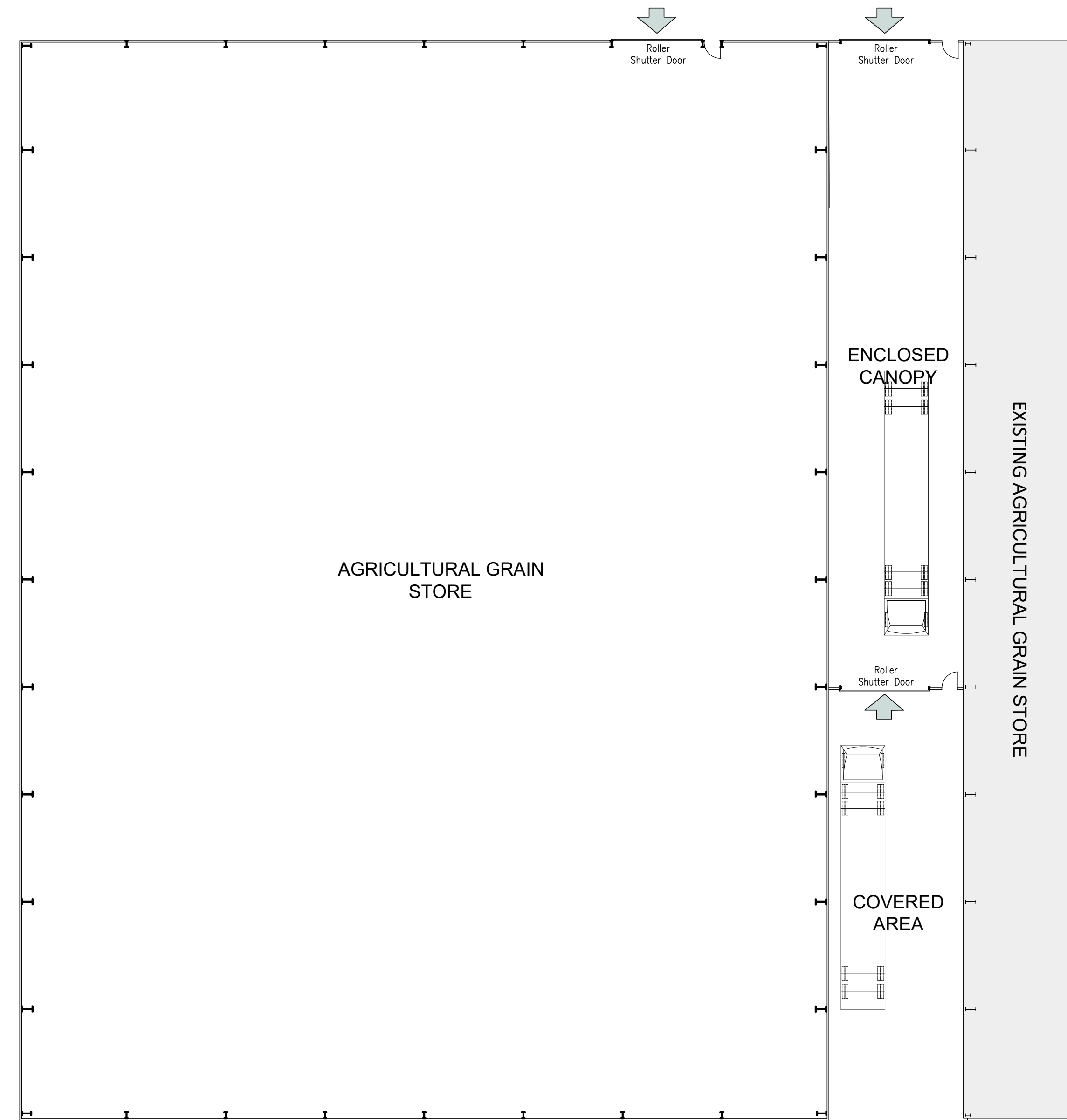
TELEPHONE: 01945 466766
 E-MAIL: info@peterhumphrey.co.uk
 WEB: www.peterhumphrey.co.uk



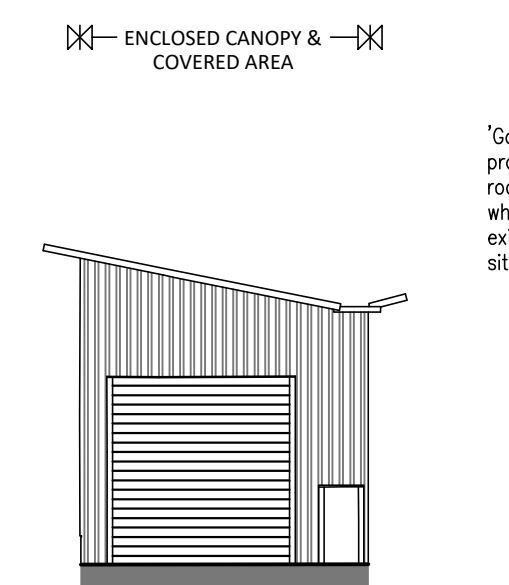
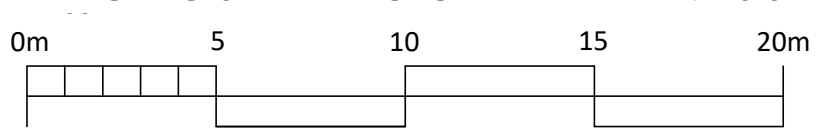
FRONT ELEVATION (FACING MANEA ROAD) 1:200



REAR ELEVATION 1:200

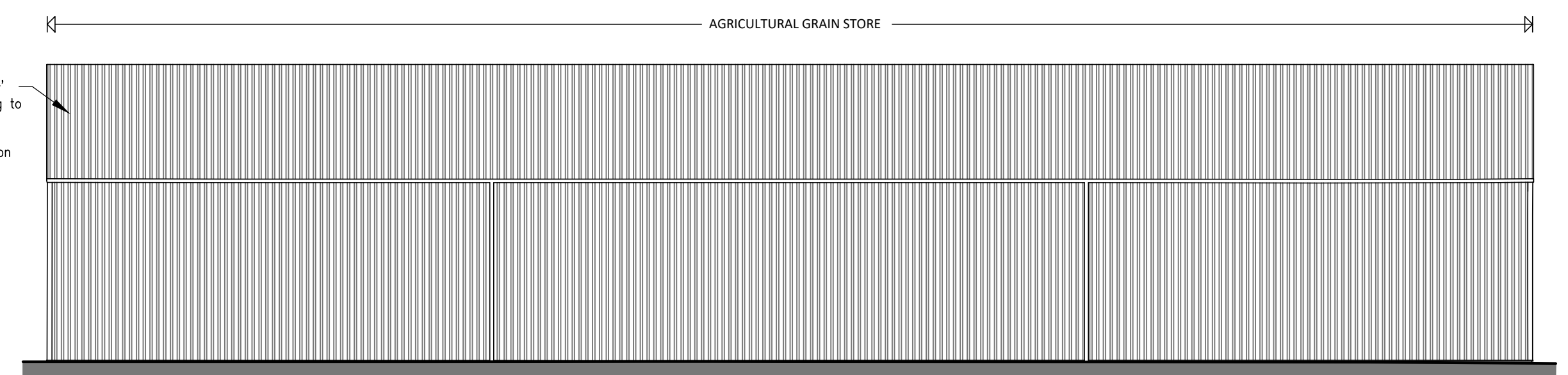


PROPOSED FLOOR PLAN 1:200

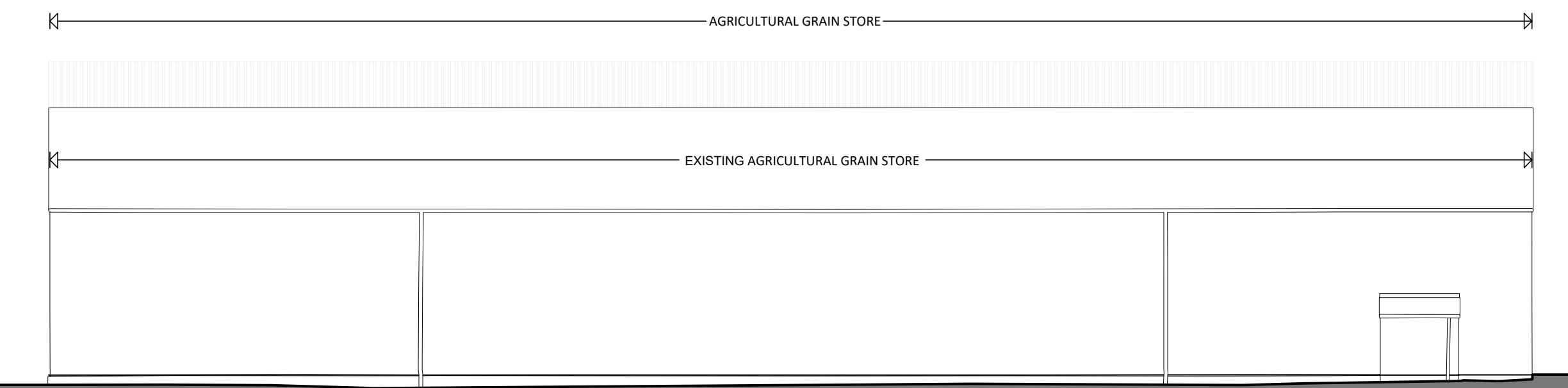


INTERNAL FRONT ELEVATION 1:200

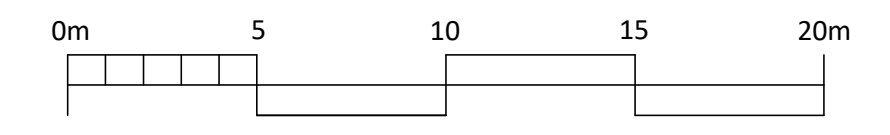
"Goosewing Grey" profiled cladding to roof and walls which matches existing sheds on site



SIDE ELEVATION 1:200



SIDE ELEVATION 1:200



8 - 22.02.2022 - Amendments following LPA validation comments.
 A - 09.04.2022 - Amendments following meeting with client.
 REVISIONS

JOB NO.	PAPER SIZE	DATE
5027/PL01B	A1	JUNE 2022

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CLIENT
 T KNOWLES (FARMS) LTD

PROJECT
 AGRICULTURAL GRAIN STORE

SITE
 T KNOWLES (FARMS) LTD
 MANEA ROAD
 WIMBLINGTON
 MARCH
 PE15 0PA

DRAWING
 PLANNING DRAWING 1

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